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Attorney General and
Minister Responsible for
Treaty Negotiations

2002/03
Annual Service Plan Report

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Accountability Statement

The 2002/03 Ministry of Attorney General and Minister Responsible for Treaty Negotiations Annual Service Plan Report was prepared under my direction and in accordance with the *Budget Transparency and Accountability Act*. This report compares the actual results to the expected results identified in the ministry's 2002/03 Service Plan. I am accountable for the ministry's results and the basis on which they have been reported.

Geoff Plant

Honourable Geoff Plant
Minister of Attorney General and Minister
Responsible for Treaty Negotiations

June 19, 2003

BRITISH
COLUMBIA

Ministry of Attorney General and Minister Responsible for Treaty Negotiations

I am pleased to introduce the 2002/03 Annual Report for the Ministry of Attorney General and Minister Responsible for Treaty Negotiations, which provides an update on activities undertaken by the ministry during fiscal year April 1, 2002 to March 31, 2003.

Over the past year this ministry has worked hard to achieve its goals, objectives and *New Era* commitments, and we are proud of the improvements made to the justice services and programs we deliver.

We are finding more efficient ways of resolving civil and family disputes without using time-consuming, costly judicial and court resources. We are working closely with the judiciary to improve courtroom processes and make better use of police and Crown counsel time.

Through the Treaty Negotiations Office, we continue to work towards establishing agreements with First Nations throughout the province. Successful negotiations will yield certainty of property ownership, which will help bring positive and lasting change to British Columbia's economy and society.

In the coming year, we will continue to work with our justice partners to identify ways to improve our justice services, and give British Columbians access to a justice system that is accessible, affordable and ensures fairness and equal treatment for all.

Honourable Geoff Plant
Attorney General

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Year-at-a-Glance Highlights

The 2002/2003 fiscal year is the second year of a three-year plan to rationalize the justice system, ensuring that it meets the needs of all British Columbians, yet remains affordable, accessible and sustainable. The Treaty Negotiations Office as well has continued to negotiate treaties in an effort to achieve legal certainty and strengthen the province's economy.

The ministry has managed many challenges during the past year. This report demonstrates that large volumes of services were delivered in all core business areas, within budget, and with most targets achieved or surpassed. Some examples of specific initiatives are summarized below.

- Restructured the delivery of court services in the province. In partnership with municipalities, established 15 new circuit courts in communities across B.C. to maintain access to justice. Twenty-four (24) of 68 staffed courthouses were closed in some locations in order to save court registry and staff costs. Closures were determined after considering the following criteria.
  - — Degree of utilization
  - — Reasonable level of public access
  - — Cost of future renovations
  - — Expenditure savings
  - — Efficiency improvements in courtroom utilization, judicial scheduling, Crown prosecution and court support
- Opened three new courthouses in the province in Sechelt, Richmond and Chilliwack.
- Restructured legal aid services in the province. Working with the Legal Services Society, preserved legal aid programs for those most in need and emphasized non-court alternatives which are less adversarial, recognizing the fact that previous legal aid funding levels were no longer sustainable.
- Implemented new provincial legislation — the *Interjurisdictional Support Orders Act* — to improve the way people obtain or change child and support orders between provinces. The new legislation replaces the first appearance with an administrative step, which saves applicants the time and expense of going to court.
- Implemented a more efficient and accessible human rights model, which provides a single body — the Human Rights Tribunal — to handle complaints from start to finish. A new clinic provides assistance to complainants. Advice is also provided to respondents. The new model continues to place strong emphasis on education to foster respect for, and understanding of, human rights across the province.
- Passed legislation to reform the traffic fine dispute process by allowing people to dispute fine amounts in writing, and allowing police evidence to be provided in writing, by phone or by videoconferencing. This improves access to justice by streamlining the process and saving time for the public while allowing the police to focus on protecting public safety.

- Established the Office for Children and Youth to provide specialized and independent oversight of the services government delivers to children, to strengthen services for children and youth, and to avoid duplication and confusion about roles and responsibilities that formerly existed among government agencies.
- Initiated the process to create a Citizens' Assembly to consider options for how Members of the Legislative Assembly are elected. Appointed Gordon Gibson to develop recommendations on how the Assembly should function and be structured.
- Participated on the Justice Review Task Force, a Law Society initiative and forum for consultation among the judiciary, legal profession and the government regarding proposed administrative, procedural or program changes. As well as releasing a report on potential justice system reforms (*Exploring Fundamental Change: A Compendium of Justice System Reform*[1]), the Task Force consulted extensively on the Unified Family Court concept and began exploring changes to small claims procedure and jurisdiction.
- Launched a review of civil liability laws in B.C. and circulated a consultation paper and questionnaire to elicit comments from interested parties and the public. A summary of responses has been compiled and distributed.
- Commenced a review of alternative dispute resolution mechanisms in government civil litigation, with a view to enhancing and creating more systematic opportunities for resolving disputes without recourse to full trials in court.
- Developed a legal risk management plan to reduce the costs of litigation and the government's exposure to liability.
- Established a Family Maintenance Enforcement Program website to improve access to information about resolving family disputes that involve child custody and access, separation and divorce issues.
- Regarding deregulation, continued to examine substantial law reform initiatives that ultimately will limit the number of regulatory requirements and reduce the regulatory burden by the end of fiscal year 2004/2005.
- Established an Economic Measures Fund to create new opportunities for First Nations participation in the economy. During the 2002/03 fiscal year, 51 agreements were finalized, totaling $4 million.
- Held the Referendum on Treaty Principles.
- Established clear instructions to provincial negotiators following the referendum on principles for treaty negotiations.
- Signed a Memorandum of Understanding between the Yale First Nation, Canada and B.C. to set aside a parcel of land for inclusion in an eventual treaty settlement.
- Concluded an agreement-in-principle with negotiators for the Snuneuymuxw First Nation and Canada.

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[1] Available at http://www.bcjusticereview.org/recent_announcements/2002/potential_reforms_07_02.pdf

Ministry Role and Services

Ministry Overview

The Ministry of Attorney General and Minister Responsible for Treaty Negotiations has overall responsibility for the administration of justice in British Columbia, as well as for the negotiation and implementation of treaties and other agreements with First Nations. The Attorney General has a constitutional and statutory role as the government's lawyer, providing legal advice, representing the government in litigation and drafting legislation.

Four main branches of the ministry work together to fulfill the justice mandate. Several of the ministry's core business areas, which are described in a later section, are comprised of related programs and services provided by these four main branches.

Court Services Branch offers administrative, security and enforcement services to support the independent judiciary and the operation of three separate levels of courts over which the judiciary presides — the Court of Appeal, the Supreme Court and the Provincial Court.

Legal Services Branch provides advice to ministries and Cabinet, drafts legislation and represents the government in court and before administrative tribunals.

Criminal Justice Branch prosecutes offences under the *Criminal Code of Canada, the Young Offenders Act* and offences arising from violations of provincial statutes.

Justice Services Branch manages provincial funding of legal aid and is responsible for a range of civil and family law programs and services including dispute resolution and enforcement of court orders.

A fifth area of the ministry, the Treaty Negotiations Office, negotiates agreements with First Nations in an effort to achieve legal certainty and strengthen the province's economy.

Concordance with the Government Strategic Plan

The Government Strategic Plan provides a broad framework within which individual ministries pursue their goals. Government's vision for British Columbia is of a prosperous and just province, whose citizens achieve their potential and have confidence in the future.

One of the three goals in the government plan calls for a strong and vibrant provincial economy. The Ministry of Attorney General through the Treaty Negotiations Office is charged with concluding treaty and other economic-related agreements with First Nations that promote investment certainty and increase access to Crown lands and resources.

Another goal in the government plan calls for a supportive social infrastructure, part of which is a justice system that is accessible, efficient, fair and affordable. A third government goal speaks to safe, healthy communities and individual well-being. All of these concepts are fundamental to operations within the ministry's core business areas. As well, the ministry's guiding principles, as described below, support government's vision for the province and are based on values that reflect and affirm those in the Government Strategic Plan.

Ministry Vision, Mission and Values

Vision

An accessible, responsive, accountable justice system that protects the rights of all citizens, offers a range of affordable, timely and fair ways to resolve disputes, and fosters confidence in the integrity, efficiency and effectiveness of the justice system. The knowledge that government operates lawfully and is achieving reconciliation with First Nations through negotiation contributes to the social stability and economic vitality of British Columbia.

Mission

To promote the safety and security of communities (in cooperation with the Ministry of Public Safety and Solicitor General); administer an independent, impartial and accessible justice system; facilitate the timely, fair and lasting resolution of civil legal disputes (including family); provide high-quality legal services to government; and, through negotiation, achieve reconciliation with the First Nations of British Columbia and legal certainty over the ownership and use of Crown land and resources in British Columbia.

Values

The Ministry of Attorney General shares with all government organizations a commitment to affordability, efficiency, timeliness, accountability, innovation and reform, and a healthy, supportive workplace. In addition, the Ministry strives to deliver its unique services in accordance with these values.

- Accessibility
- Independence
- Impartiality and fairness
- Certainty
- Processes that are appropriate to the nature of the dispute
- Respect for the law

Operating Context

A number of factors, both external and internal to the ministry, can affect its ability to realize its goals and objectives and meet its annual targets. Ministry planning as well can be shaped to a considerable degree by these factors. Among the most significant factors that the ministry monitors on a regular basis are the following.

Crime Rates

Crime rates relate to expected workloads for many areas of the justice system such as police, the courts, Crown prosecutors, and corrections. Canada's crime rate increased slightly (by 1%) in 2001 after several years of decline. Similarly, British Columbia's overall crime rate rose by 1% in 2001 after a five-year decline, largely as a result of a sharp increase in auto thefts.[2] In 2002, the B.C. crime rate again increased slightly, by another 1%. Relative to the national average, B.C. continues to have a high crime rate. Our rate is second highest among provinces, after Saskatchewan.[3]

B.C.'s violent crime rate has been decreasing over the last several years, although it is still 10% higher than it was 20 years ago.[4] For 2002, the B.C. violent crime rate fell by another 1%.

Many environmental factors contribute to variations in the crime rate, including changes to the laws that affect police enforcement practices, differences in community reporting conventions, fluctuations in the economy, and changes in population density. One theory for the observed decline in the overall crime rate for several years prior to 2001 is that there has been a corresponding drop in the proportion of young males aged 15 to 24 in the population. Historically, crime rates have been higher in this group than in other population groups.

Crime rates and subsequent police enforcement practices drive workloads within much of the Ministry of Attorney General. When rates increase, workloads grow. Workloads also can increase depending on the type and complexity of cases that proceed to court.

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[2] The overall crime rate in B.C. for 2000 was 113 crimes per 1,000 population; in 2001 the rate was 114 per 1,000; and for 2002 the rate was 116. See *Police and Crime Summary Statistics, 1992—2001* at http://www.pssg.gov.bc.ca/police_services/publications/index.htm Regular updates are also posted at this site.

[3] Statistics Canada reports the overall national crime rate for 2001 at 8,572.5 per 100,000 population; the overall B.C. rate for 2001 at 12,557.8 per 100,000; and the overall 2001 rate for Saskatchewan at 15,245.5. See http://www.statcan.ca

[4] In 1992, the violent crime rate in B.C. was 14.9 crimes per 1,000 population; by 2001, the rate had dropped to 12.2 per 1,000; and in 2002, the rate fell to 12.0.

Litigation Complexity

The majority of *Criminal Code* prosecutions are a provincial responsibility. Prosecutions are becoming increasingly complex, requiring analysis of large volumes of technical evidence and the use of expert witnesses. There are some very large cases, such as the Air India and Vancouver missing-women prosecutions. Cyber crime is expected to introduce additional litigation challenges. As cases continue to grow in complexity, prosecution costs to the province are likely to increase as well.

The province is also required to respond to increasing complexity in civil law suits. Its jurisdiction over land and resource management involves the province in an increasing number of cases arising from conflicting claims to the land and resource base of British Columbia. In particular, British Columbia is dealing with a large number of aboriginal rights and title cases that are raising important issues. As well, the province is a defendant in major class action claims, including claims arising out of allegations of historic abuse in institutions that were administered or funded by the province. These cases may present litigation management challenges and significantly increased costs to the province because of the large numbers of complex legal issues, substantial volumes of evidence, multiple parties, and novel issues of law and procedure that are involved.

The complexity of civil litigation often makes court proceedings more costly for members of the public. In response to this, there appears to be a growing trend towards litigants appearing without counsel. This has several consequences for the civil justice system. It means that trials and hearings proceed more slowly as unrepresented litigants struggle to deal with court rules and procedures. These cases often result in more adjournments and, in addition to being more frustrating for the litigants, require more time and court resources to complete.

The ministry is attempting to address the issues of case complexity and affordability by working with the judiciary, the bar and its other partners in the justice system to streamline and simplify procedures and, wherever it is appropriate, to develop faster, less expensive alternatives to litigation.

Family Law

Changes in family structure and dynamics are resulting in a greater demand for family court resources, mediation, parenting education programs and child maintenance enforcement. Family law (divorce, child custody, access, support and protection) has had to evolve rapidly to keep up with these changes. In response, the ministry has implemented a number of measures including mandatory referrals to Family Justice Counsellors regarding custody, access, guardianship, or child/spousal support.

The ministry is also piloting several projects to test new case management systems. These pilots will address many of the current challenges in family law by examining potential remedial strategies such as:

- maintenance enforcement outreach services to divert cases from litigation;
- limited legal advice for self-represented litigants to assist in achieving settlements;

- administrative enforcement mechanisms to support the recently proclaimed *Interjurisdictional Support Orders Act*;
- administrative calculation and variation of child support orders; and,
- parent education programs to encourage alternatives to litigation.

Court Backlogs

Criminal court backlogs have been reduced from their peak in the late 1990s. Today there are fewer cases pending and their age in the system has decreased. Several factors may be contributing to this change: additional judges have been provided to hear cases; the judiciary, working with the ministry, has improved the rules for case flow management; and some low-risk cases are being diverted from the conventional court process into alternative measures programs. However, the number of new cases entering the system has not decreased, and backlogs continue to be a concern.

Demographic Context

British Columbia's population is growing and is becoming more diverse. It includes an increasing number of international immigrants who frequently require language services and who may be unfamiliar with the principles and processes of the justice system. In those cases, additional specialized justice services are called for to ensure access and fairness.

Youth Crime

The number of new criminal cases involving youth between the ages of 12 and 17 has been declining in B.C. since 1992.[5] However, the implementation of the new national *Youth Criminal Justice Act* will bring new procedural and systemic challenges.

Aboriginal People in the Justice System

Aboriginal people in British Columbia continue to be significantly over-represented in all aspects of the justice system as both offenders and victims. A large youth population and difficult social conditions in many aboriginal communities contribute to this situation.

Treaty Negotiations

Unresolved aboriginal claims have created economic uncertainty over the ownership and use of Crown land and resources. Treaty negotiations aim to address these uncertainties by establishing agreements that can enhance economic stability and opportunity in British Columbia.

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[5] *Police and Crime Summary Statistics, 1992—2001* reports that in 1992, 65 youths per 1,000 population were recommended for charges in B.C. under the *Young Offenders Act*. By 2001, this number had fallen to 32 youths per 1,000 population.

Linking of Justice Data Systems

There is a need to continue linking information systems across separate components of the justice system so that accurate, critical information can be made available to all justice partners. British Columbia has made significant progress in this area and continues to improve existing data systems and create new secure links, particularly among police, Crown, courts and corrections. Better information contributes to better planning and can make justice administration and law enforcement more effective.

Strategic Shifts and Significant Changes in Policy Direction

Following the 2001 core review of ministry programs and services, four key attributes emerged as fundamental to the province's justice system. As government began planning to modify some justice services after the core review, these attributes helped shape the proposed changes.

Accessibility: British Columbia is a diverse province with a diverse population. The justice system must continue to be accessible to all people in the province, regardless of where they live or what their personal circumstances may be.

Efficiency: The justice system must be efficient. Trials must take place within a reasonable time and courtrooms must operate in a way that makes the best use of resources.

Fairness: As part of its responsibility to protect citizens and maintain order and public safety, the justice system must continue to apply the rules of law fairly and equally.

Affordability: The justice system must be affordable to all citizens who use it. The costs to government and litigants must be reasonable.

Proposed changes to the justice system were also viewed in light of the unique challenges and pressures that confront the system. Laws have become more complex, resulting in intricate legal processes. Complicated cases take longer to prosecute, and prosecutions costs have risen. The cost of staffing and maintaining courthouses has risen as well.

Administrative systems that once were adequate have become outdated and less efficient at accommodating the demands of a more complex justice system. Addressing this growing technological gap could require considerable costs for updates and new development.

Unresolved aboriginal claims have created economic and legal uncertainties. As well, litigation against government has increased, and courts have been issuing higher awards.

Challenged by affordability and the need to maintain the core values of the justice system in light of growing pressures, the ministry undertook a number of strategic shifts and based them on four key strategies.

Find alternatives to litigation: More and more Canadians are unable to use the justice system to resolve civil disputes because it is simply too expensive. Litigating a small claim, for example, could cost more than the claim is worth. Many reports from across Canada and around the world have found that increasing the use of consensual dispute resolution processes, such as mediation, holds the greatest promise for increasing access to justice.

Similarly, in the family area, it has been recognized for many years that the courts are often the wrong forum for resolving the emotionally charged issues facing families going through separation and divorce.

The Dispute Resolution Office (DRO) in the ministry's Justice Services Branch was established to work within the justice system to support the use of a wide range of dispute resolution options within the civil and family justice system. Through the DRO, the ministry continues to support the development of processes and programs that will provide people with alternatives to litigation. The ministry also continues to support the development of a strong pool of highly qualified mediators in the province to meet the growing public demand.

In the area of criminal law, the ministry strengthened its efforts to screen cases rigorously and divert low-risk offenders to out-of-court processes such as community-based alternative measures programs. Programs like these do hold offenders accountable for their actions, but they also help to avoid costs that would otherwise be incurred by the formal justice system.

Improve liability management: To address this strategy, the ministry began to develop improved, proactive risk management procedures both within and outside the ministry. One new procedure involved a review of existing and new legislation in an accelerated effort to avoid litigation wherever possible. The ministry also made a significant shift toward a new model of cost accountability, where ministries responsible for lawsuits against government are also accountable for the costs. Such a shift encourages all ministries to share in the responsibility for managing risk and to work together to avoid unnecessary exposure to litigation and civil liability.

Strengthen partnerships across the justice system: An effective, efficient justice system requires the cooperation and expertise of its key partners: the legal profession, police, Crown counsel, and federal and municipal governments. The independent judiciary is also involved.

The ministry has renewed its commitment to improve the system through stronger partnerships. For example, the ministry has been working closely with the independent judiciary to improve court scheduling and make better use of police and Crown counsel time. In consultation with police and Crown counsel, the ministry has focused on enhancing the charge approval process, especially regarding the diversion of less serious offenders to cost-efficient out-of-court alternatives. Streamlining and simplifying the process for dealing with traffic offences was another joint effort with police and Crown.

Municipal bylaws have traditionally been enforced in provincial court. In consultation with municipalities, the ministry has moved toward increasing the capacity of municipalities to enforce their own bylaws in a way that is less expensive than provincial court and more responsive to municipal needs.

Reform practices and programs: This strategy involved several prominent shifts directed at bringing greater effectiveness and efficiency to the justice system. For example, the ministry reviewed its costly infrastructure requirements and closed courthouses that were not considered efficient operations. Several less costly circuit courts were established to continue services in those areas where courthouses had been closed.

The ministry committed to installing more video conferencing units that would allow witnesses and accused to testify without incurring travel costs. The ministry began work on electronic filing of civil documents as another efficiency measure that could also cut costs.

There were significant shifts made in the way treaties with First Nations were negotiated. The Treaty Negotiations Office of the ministry focused its resources on opportunities to reach successes at tables with First Nations and Canada. Consistent with the principles endorsed through the referendum, there were also significant policy shifts with respect to reconciliation, certainty, self-government models, revenue sharing and accommodation in order to revitalize treaty negotiations and accelerate the conclusion of agreements.

In a major review of the province's administrative justice agencies, the ministry sought assurance that agencies were meeting the needs of the clients and communities they were serving, that their mandates were current and relevant, and that their operations were efficient, open and accountable. Recommendations from the review suggested that some overlapping services and jurisdictions be eliminated, and many other administrative procedures be streamlined. The ministry has established an Administrative Justice Office to ensure that these modifications and other appropriate efficiencies continue to be implemented.

Update on *New Era* Commitments

In addition to the strategic shifts that emerged from the core review of programs and services, the ministry also undertook a number of *New Era* projects and commitments that had been assigned by the Premier's Office. Many of the following commitments were completed as of March 31, 2003, a few remain and will be completed by May 17, 2005, and still others are ongoing with no specific end date because they are basic tenets of the ministry mandate.

Completed Key Projects

Project	Details
Complete a review of adjudicative agencies and make recommendations.	• The review of administrative agencies has been completed, and recommendations have been made. • An Administrative Justice Office has been established in the Ministry of Attorney General to implement recommendations through fiscal 2004/05.
Review the *Election Act*.	• The *Election Statutes Amendment Act* came into force October 31, 2002.
Establish a Citizens' Assembly and assess models for electoral reform. (*Also a New Era commitment*)	• Ministry role in initial project analysis stage is complete. Further responsibility may be transferred from the ministry to the Assembly Chair.
(*Treaty Negotiations Office*) Lay out a program to examine the current status of Aboriginal negotiations and a strategy to move forward.	• Tripartite review and discussions completed with treaty partners. Following the referendum, focused resources on opportunities to reach agreements.

Completed *New Era* Commitments

Commitment	Details
Appoint an independent task force to review the options, models, costs and effectiveness of private sector pay equity legislation and make recommendations to the Legislature.	• Task force report with recommendations was tabled in the Legislative Assembly March 2002.
Establish a fixed provincial election date under the *BC Constitution Act*.	• Legislation to establish fixed provincial election dates was enacted August 2001.
Fight child prostitution and youth crime with specific legislation aimed at providing greater protection to children at risk and greater parental responsibility for children who commit property crimes.	• *Crime Victim Assistance* Act in force summer of 2002. • *Parental Responsibility Act* in force January 2002. • Further efforts may be undertaken.
Hold the line on court fees to ensure that everyone has affordable access to our justice system.	• Court fees have not increased.
Appoint a Citizens' Assembly for Electoral Reform that will be responsible for assessing all possible models for electing MLAs including proportional representation, preferential ballots and first past the post.	• Ministry role in initial project analysis stage is complete. Further responsibility may be transferred from the ministry to the Assembly Chair.

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Appoint a Citizens' Assembly for Electoral Reform that will be responsible for assessing all possible models for electing MLAs including proportional representation, preferential ballots and first past the post.	• Ministry role in initial project analysis stage is complete. Further responsibility may be transferred from the ministry to the Assembly Chair.

Commitment	Details
Ban all non-essential government advertising in the four-month period prior to the fixed election date to prevent any opportunity for partisan abuse of taxpayer-funded advertising.	• Accomplished under the *Election Statutes Amendment Act*, which came into force October 2002.
Amend the *Election Act* to eliminate loopholes on disclosure of financial contributions to political parties to include donations of labour, as required in municipal elections.	• Accomplished under the *Election Statutes Amendment Act*, which came into force October 2002.
Repeal the law that restricts third party advertising during election campaigns.	• Accomplished under the *Election Statutes Amendment Act*, which came into force October 2002.
Outlaw donations from charities to political parties.	• Accomplished under the *Election Statutes Amendment Act*, which came into force October 2002.
(*Treaty Negotiations Office*) Give all British Columbians a say on the principles that should guide B.C.'s approach to treaty negotiations and a one-time province-wide referendum.	• Referendum was completed in May 2002. Results received in July 2002 showed broad support for principles.
(*Treaty Negotiations Office*) Ask an all-party committee of the legislature to consult with British Columbians, including First Nations, to draft the referendum questions	• Completed in 2001/02 in advance of the referendum.

Continued *New Era* Commitments

Commitment	Details
Pass a *Domestic Violence Act* that will enhance protection and reduce domestic violence, especially for women and children	• Cross-jurisdictional review completed. • Work continues with the ministries of Public Safety and Solicitor General and Community, Aboriginal and Women's Services (lead) to examine policy, programs and legislative responses to crimes of domestic violence
Protect private property rights and prevent government from expropriating assets without fair compensation.	• Policy options under consideration • *New Era Review*[6] reports that the *Protected Areas Forests Compensation Act*, passed in May 2002, ensures compensation for the establishment of parks and protected areas.

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[6] *New Era Review* is available at http://www.gov.bc.ca/bcgov/down/new_review.pdf

Commitment	Details
Seek clear direction from the Supreme Court of Canada on constitutional questions about Aboriginal self-government.	• Decision made to consider participating in litigation only when an appropriate case arises.
Amend the recall and initiative legislation and make it more workable for British Columbians to hold MLAs more accountable and initiate referendums on issues of provincewide concern.	• Under way
Citizens' Assembly will hold public hearings throughout B.C. and if it recommends changes to the electoral system, that option will be put to provincewide referendum.	• Ministry role in initial project analysis stage is complete. Further ministry involvement to be determined.
(*Treaty Negotiations Office*) Fully protect private property rights and resource tenure rights in treaty negotiations.	• Principle was ratified during referendum, and this position is used in ongoing negotiations.
(*Treaty Negotiations Office*) Insist on equal, non-discriminatory voting rights for all Canadians in respect of governments that rule their lives.	• Ongoing; policy options have been developed to meet this priority.
(*Treaty Negotiations Office*) Work to ensure that all Aboriginal governments have the same legal status in B.C. as they do in every other province.	• Ongoing; delegated self-government arrangements are under discussion.
(*Treaty Negotiations Office*) Work to expedite interim measures agreements with First Nations to provide greater certainty during treaty talks.	• Ongoing; *New Era Review* reports the government entered into 47 interim measures agreements by December 2002. The Treaty Negotiations Office continues to work with First Nations to accomplish this goal.
(*Treaty Negotiations Office*) Fast track treaty talks to conclude fair settlements.	• Breakthrough table strategy implemented to increase negotiation effort at key tables.
(*Treaty Negotiations Office*) Offer to negotiate a delegated, municipal style of self-government with any First Nation that wants to move beyond the *Indian Act*.	• Ongoing; a new framework for negotiation of self-government arrangements was presented in open cabinet November 2002.
(*Treaty Negotiations Office*) Introduce a legislative framework for legally respecting Aboriginal rights protected under the Constitution in the absence of treaties.	• Implementation of this commitment is under consideration in light of recent court decisions that may affect the province's ability to enact such a framework.

Commitment	Details
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Amend the *Election Act* to eliminate loopholes on disclosure of financial contributions to political parties to include donations of labour, as required in municipal elections.	• Accomplished under the *Election Statutes Amendment Act*, which came into force October 2002.
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(Treaty Negotiations Office) Ask an all-party committee of the legislature to consult with British Columbians, including First Nations, to draft the referendum questions	• Completed in 2001/02 in advance of the referendum.

Continued *New Era* Commitments

Commitment	Details
Pass a *Domestic Violence Act* that will enhance protection and reduce domestic violence, especially for women and children	• Cross-jurisdictional review completed. • Work continues with the ministries of Public Safety and Solicitor General and Community, Aboriginal and Women's Services (lead) to examine policy, programs and legislative responses to crimes of domestic violence
Protect private property rights and prevent government from expropriating assets without fair compensation.	• Policy options under consideration • *New Era Review*[6] reports that the *Protected Areas Forests Compensation Act*, passed in May 2002, ensures compensation for the establishment of parks and protected areas.

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[6] *New Era Review* is available at http://www.gov.bc.ca/bcgov/down/new_review.pdf

Commitment	Details
Seek clear direction from the Supreme Court of Canada on constitutional questions about Aboriginal self-government.	- Decision made to consider participating in litigation only when an appropriate case arises.
Amend the recall and initiative legislation and make it more workable for British Columbians to hold MLAs more accountable and initiate referendums on issues of provincewide concern.	- Under way
Citizens' Assembly will hold public hearings throughout B.C. and if it recommends changes to the electoral system, that option will be put to provincewide referendum.	- Ministry role in initial project analysis stage is complete. Further ministry involvement to be determined.
(Treaty Negotiations Office) Fully protect private property rights and resource tenure rights in treaty negotiations.	- Principle was ratified during referendum, and this position is used in ongoing negotiations.
(Treaty Negotiations Office) Insist on equal, non-discriminatory voting rights for all Canadians in respect of governments that rule their lives.	- Ongoing; policy options have been developed to meet this priority.
(Treaty Negotiations Office) Work to ensure that all Aboriginal governments have the same legal status in B.C. as they do in every other province.	- Ongoing; delegated self-government arrangements are under discussion.
(Treaty Negotiations Office) Work to expedite interim measures agreements with First Nations to provide greater certainty during treaty talks.	- Ongoing; *New Era Review* reports the government entered into 47 interim measures agreements by December 2002. The Treaty Negotiations Office continues to work with First Nations to accomplish this goal.
(Treaty Negotiations Office) Fast track treaty talks to conclude fair settlements.	- Breakthrough table strategy implemented to increase negotiation effort at key tables.
(Treaty Negotiations Office) Offer to negotiate a delegated, municipal style of self-government with any First Nation that wants to move beyond the *Indian Act*.	- Ongoing; a new framework for negotiation of self-government arrangements was presented in open cabinet November 2002.
(Treaty Negotiations Office) Introduce a legislative framework for legally respecting Aboriginal rights protected under the Constitution in the absence of treaties.	- Implementation of this commitment is under consideration in light of recent court decisions that may affect the province's ability to enact such a framework.

Ongoing *New Era* Commitments — Part of Ministry Mandate

Commitment	Details
Stand up for the equality of all Canadians and all provinces under the Canadian Constitution.	• Ongoing; part of ministry mandate; no fixed end date
Ensure that all B.C. laws respect the equality rights guaranteed to all British Columbians under the Constitution.	• Ongoing; part of ministry mandate; no fixed end date
Ensure all British Columbians have equal access to legal representation and justice.	• Ongoing; part of ministry mandate; no fixed end date

Core Business Areas

This section of the Annual Report provides a brief description of the ministry's core business areas as they were during fiscal year 2002/2003. The description for each business area covers purpose, participant branches, programs and services, service delivery mode, principal clients, intended benefits to clients, and a few of the considerations that can affect service delivery.

The Service Plan for 2002/2003 included nine core business areas that had been configured during the 2001/2002 transition year. Several of these business areas incorporated complementary programs and services from more than one ministry branch. Other business areas were the responsibility of single branches. The table below summarizes the business areas for the fiscal year 2002/2003 and the branches that were involved in each of them.

Ministry of Attorney General Core Business Areas — 2002/2003

Business Area	Participating Branch(es)
Community and Public Safety	Court Services, Criminal Justice, Justice Services
Social and Economic Stability	Court Services, Justice Services
Lawful Government	Legal Services, Criminal Justice
Assisting the Vulnerable and Victims	Criminal Justice, Justice Services
Independent Judiciary	Court Services
Aboriginal Negotiation and Litigation	Legal Services
Statutory, Special Accounts and Agencies, Boards and Commissions	Policy, Planning and Legislation
Corporate Services for Attorney General and Solicitor General	Management Services; Policy, Planning and Legislation; Investigation, Inspection and Standards Office
Treaty Negotiations	Treaty Negotiations Office

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Corporate Services for Attorney General and Solicitor General	Management Services; Policy, Planning and Legislation; Investigation, Inspection and Standards Office
Treaty Negotiations	Treaty Negotiations Office

Community and Public Safety

Three branches of the ministry — Court Services, Criminal Justice, and Justice Services — contribute to the safety of communities and the general public in different ways.

- The **Court Services Branch** supports timely and equitable access to the Provincial Court, Supreme Court and Court of Appeal. It provides administrative services to the independent judiciary, registry and trial support, prisoner custody and escort, and courthouse security. It also maintains the facilities in which court is held.

  These services, which are directly delivered by branch and ministry staff, enable the courts to operate safely and efficiently. They contribute to an independent, impartial and accessible justice system that serves the province's citizens — and specifically, parties in litigation, counsel, the judiciary, registry staff, police, public interest and volunteer groups, other ministries, and other governments such as municipal, aboriginal, and federal.

  Addressing and resolving criminal cases in the courts involves almost 105,000 sitting hours, which represents almost sixty per cent of the total combined sitting hours for all levels of court.

- The **Criminal Justice Branch** contributes to public safety through the prosecution of *Criminal Code* and provincial statute offences. Services include assessing and approving criminal charges, referring low-risk offenders to alternative measures programs, identifying high-risk and violent offenders for specific attention, prosecuting cases, handling appeals and providing advice to government on all criminal law matters. These responsibilities are governed by the *Crown Counsel Act* and must be carried out objectively and fairly, without regard to undue influence or interference from any source.

  Victims, witnesses, the general public and justice partners (police and other investigating agencies, courts, corrections and government) benefit in many ways from these services. The charge assessment process and assessment criteria ensure that the cases which are approved to court are sufficiently supported by the anticipated admissible evidence, and that prosecution will be in the public interest. After assessment, some cases are referred to alternative measures programs, and some that do not warrant charges are not approved to court or are referred back to the police for investigation. This contributes to efficiency as those accused persons who can be adequately dealt with by a referral to an out-of-court alternative measures program are not brought into the court system, and those accused persons who present a high risk of violence are identified early in the process. Cases that do not meet the evidentiary or public interest criteria are not placed before the court. The charge assessment process can reduce the potential for civil suits.

  High-risk offenders are identified for appropriate action by the courts, contributing to public safety. Prosecutorial services and advice in criminal matters are offered with careful attention to timely processing, contributing to cost reduction.

- The **Justice Services Branch** supports the provision of legal aid by the Legal Services Society by managing the broad policy and funding context of legal aid. The Society allocates to eligible individuals who cannot afford legal counsel, legal aid resources proportional to the complexity and seriousness of the offence. The principal responsibilities of this branch lie within other core business areas and are described there.

Workloads and service delivery in this core business area can be affected by several factors discussed previously under Operating Context. If, for example, the crime rate, litigation complexity or court backlogs should increase, workload would also increase, service delivery could become less efficient, and costs would likely rise. This is especially true if extraordinary cases should become more frequent. The implementation of new laws, such as the new national *Youth Criminal Justice Act*, often requires new and additional procedures that can also increase workloads and affect efficiency.

Since maintaining service delivery levels is a priority, the ministry addresses these and other more catastrophic risks, such as the loss of facilities due to earthquake, fire, or explosion, through risk management and business continuation planning.

Expenditures for Community and Public Safety

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	205,999	198,430	Variance primarily due to reductions in numbers of witnesses and contracted lawyers, reduced transcript costs; hiring lags; and reallocation of expenditures to the Social and Economic Stability business area after the original target had been published in the Service Plan.
Capital expenditures (CCP)	1,950	2	Variance primarily due to delayed capital projects.
Capital expenditures (CRF)	11,428	11,380	
FTEs direct	1,593	1,589	
Financing Transactions	—	—	

Social and Economic Stability

Society requires timely, effective resolution of civil and family disputes, and this fosters social and economic stability. Many civil and family cases require courtroom procedures to reach resolution; Court Services Branch supports the judiciary in addressing these cases. Some civil and family disputes can be resolved out of court; Justice Services Branch offers or funds a range of services and information as well as out-of-court dispute resolution options for those who wish a less adversarial approach.

- As described in the previous section of this report, the **Court Services Branch** supports timely and equitable access to the Provincial Court, Supreme Court and Court of Appeal. It provides administrative services to the judiciary, registry and trial support, prisoner custody and escort, and courthouse security. It also maintains the facilities in which civil and family court events take place. These services, which are directly delivered by branch and ministry staff, enable the courts to operate safely and efficiently. They contribute to an independent, impartial and accessible justice system that serves the province's citizens

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— specifically, parties in litigation, counsel, the judiciary, registry staff, police, public interest and volunteer groups, other ministries, and other governments such as municipal, aboriginal and federal.

Resolving civil and family disputes in the courts involves more than 70,000 sitting hours, which represents more than forty per cent of the total combined sitting hours at all levels of court.

- The **Justice Services Branch** promotes access to justice services such as legal aid and offers alternatives to courtroom litigation that emphasize choice, relevancy, affordability and accessibility. Free mediation for disputants in civil cases is available in Provincial Small Claims Court through the Court Mediation Program. In Supreme Court, a disputing party can use the Notice to Mediate Program to compel the other party(ies) to attend one mediation session.

  Three other programs are available to families (parents, children, other family members) in dispute. The Parenting after Separation Program is a three-hour free information session that is now mandatory at some court registries. The session helps parents make informed choices about separation and conflict and take into account the best interests of their children.

  The Facilitated Planning Meeting Program is intended to help families reach early resolution of child protection issues. The Family Justice Dispute Resolution Program guides parents and children through the process of separation and divorce and helps families address issues such as child custody, access and maintenance.

  Most of the services, apart from legal aid, are provided by ministry employees and, to a much lesser extent, through independent contractors. Volunteer boards operate some programs. Offering disputants in both civil and family cases a range of out-of-court options creates significant efficiencies in the justice system and reserves the resource-intensive court process for those cases that need it most. Dispute resolution processes benefit disputants by allowing all parties to be engaged actively in creating enduring agreements designed to meet their needs and personal circumstances, rather than having resolution imposed by the court. Clients for dispute resolution services can range from individuals to families, government ministries and agencies, and aboriginal treaty tables.

Several factors influence the ministry's ability to reach certain intended targets for this core business area. Maintaining court services is a priority for this business area. The ministry addresses risks, such as the loss of facilities, through risk management and business continuation planning.

Some civil and family cases are more difficult to resolve than are others, depending on the individual circumstances or nature of a case. If the proportion of difficult cases is high in a given year, the settlement rate for that year may be lower than the rate for a year that had a high proportion of cases that were easily and quickly resolved.

The roster of mediators can fluctuate from year to year, with some years having an influx of newly trained, but inexperienced mediators, coupled with an outflow of experienced mediators. Inexperienced mediators often have a lower settlement rate than do experienced ones. A reduction in the proportion of experienced mediators on the roster may also temporarily reduce access to out-of-court options.

During economically difficult times, disputants may feel additional financial and emotional pressures. Consequently, they are often not as inclined to negotiate and compromise as they are when the economy is strong and they are less pressured.

Expenditures for Social and Economic Stability

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant variances (if any)
Operating expenditures	66,891	80,509	Variance primarily due to reallocation of expenditures from Community and Public Safety and Assisting the Vulnerable and Victims after the original target had been published in the Service Plan.
Capital expenditures (CCP)	1,300	0	Variance primarily due to delayed capital projects.
Capital expenditures (CRF)	388	173	Variance primarily due to savings in a systems project and on vehicle and furniture purchases.
FTEs direct	584	538	Variance primarily due to hiring lags.
Financing Transactions	—	—	

Lawful Government

Through the **Legal Services** Branch, this business area employs in-house and contracted legal staff to advise government on civil and criminal law matters. It fulfills the Attorney General's role as official legal advisor to government. It also negotiates and drafts agreements, drafts legislation and regulations, manages the government's liability risks and costs, represents the government in litigation, and works to reduce the cost of litigation through the use of technology and improved business practices. Its clients are government ministries, the Attorney General, Cabinet, and Crown corporations and agencies. Client ministries partially fund the area through annual agreements.

The area does not provide direct services to the public. However, it does serve the public interest by ensuring that government operates lawfully and that risks associated with government ministry operations are reduced.

Services are delivered through three main programs: Solicitor Services, which advises on lawful operations and risk reduction; Barrister Services, which represents government in litigation and seeks the best possible outcomes; and Legislative Counsel, which provides legal advice to Cabinet and the Legislative Assembly and takes direction from Cabinet.

One objective of this business area is to reduce the province's exposure to liability. Since service delivery levels are determined in large part by ministry budgets, reductions in ministry budgets can reduce ministries' access to timely legal advice. This could have the effect of increasing government's exposure to risk, possibly resulting in an increase in litigation against the government.

Expenditures for Lawful Government

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	46,349	46,851	
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	231	387	Variance primarily due to higher technology costs in order to implement full cost recovery.
FTEs direct	217	276	Variance primarily due to provision of higher level of cost-recovered services.
Financing Transactions	—	—	

Assisting the Vulnerable and Victims

Two of the ministry branches described earlier in this section offer services that fall within this business area.

- The **Criminal Justice Branch** offers victims of crime the opportunity to provide offence impact information and presents appropriate victim impact information to the court on sentencing. If requested, information about charges, court dates and court outcomes is also provided to victims.
- The **Justice Services Branch** provides a range of assistance and resolution opportunities for individuals and families involved in the justice system. The branch manages the policy framework of legal aid in such areas as child protection, domestic violence, mental health and immigration. It helps individuals and families manage their disputes in a way that provides timely access to justice, reduces unnecessary litigation and the use of court resources, reduces the cost to government of benefit programs, and promotes the safety and mental health of children whose parents are separating or divorcing.

  Three programs available to families in dispute have already been discussed under Social and Economic Stability. They are the Parenting after Separation Program; the Facilitated Planning Meeting Program and the Family Justice Dispute Resolution Program.

  A fourth program, the Family Maintenance Enforcement Program (FMEP) facilitates full payment of child and spousal maintenance by monitoring and enforcing all maintenance orders and agreements. Through the program, which is delivered by the private sector, maintenance payments are calculated, received, recorded, and forwarded to the recipient.

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If a payor should fall into arrears and enforcement is necessary, federal and provincial laws give the FMEP the authority to use a number of measures, depending on how much money is owing and what the FMEP knows about the payor's current situation. The program can attach income, register a lien against the payor's personal property, and even obtain a court order to seize and sell property of a delinquent payor.

The ability to enforce maintenance orders and collect arrears if needed benefits the vulnerable members of a family that is undergoing separation and divorce. It also benefits government by reducing the demand for supplementary family support.

This business area is subject to many of the same risks around mediator availability as those described for Social and Economic Stability. The ministry mediates the risk through recruitment actions and increased membership on the mediator roster.

Expenditures for Assisting the Vulnerable and Victims

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	59,868	48,185	Variance primarily due to reallocation of expenditures to Social and Economic Stability after the original target had been published in the Service Plan.
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	205	0	Variance primarily due to systems project not proceeding.
FTEs direct	49	46	
Financing Transactions	—	—	

Independent Judiciary

The judiciary is comprised of Provincial Court Judges, Supreme Court Justices and Masters, and Court of Appeal Justices. It functions independently of the Legislative and Executive arms of government, but is funded both federally and provincially. The federal government appoints and funds Court of Appeal Justices and Supreme Court Justices. The provincial government funds Provincial Court Judges, Judicial Justices of the Peace and Supreme Court Masters. The province also allocates budget for administrative and support services and funds administration staff, case managers, trial coordinators and support staff.

The Court Services Branch supports this core business area by providing registry operations, court administration, prisoner escort and court security. With Court Services assistance, the judiciary develops specific projects such as the Provincial Court's criminal case flow management process and rules, and the Supreme Court's reforms for expedited case processing.

Improved criminal case flow management rules are intended to bring greater efficiency to courtroom processes by ensuring that court events occur when they are scheduled and that Crown counsel and defence counsel engage in meaningful discussions early in the process.

Risks to this business area would include a loss of judges on the bench due to illness, retirements or non-replacement. If the area operates with reduced numbers, this could reduce the projected number of sitting hours.

Expenditures for Independent Judiciary

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	50,360	50,217	
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	591	231	Variance primarily due to delay in systems projects and furniture not purchased.
FTEs direct	396	372	Variance primarily due to hiring lag.
Financing Transactions	—	—	

Aboriginal Negotiation and Litigation

Services offered in this core business area are similar to those described earlier in this report under Lawful Government, except that the focus is on aboriginal law issues. The **Legal Services** Branch, by providing sound legal advice through its Solicitor services, supports the treaty negotiation process in achieving its goals and objectives. Barrister services involve representing government and its ministries in aboriginal litigation matters. Principal clients for this business area are ministries and the Treaty Negotiation Office of the Ministry of Attorney General. The area does not provide direct services to the public.

Client ministries are charged for legal services received. Consequently, both access to services and service levels are dependent on client ministry budgets. Funding reductions may limit access to timely and adequate legal advice, possibly rendering ministries less able to avoid legal risks.

> If a payor should fall into arrears and enforcement is necessary, federal and provincial laws give the FMEP the authority to use a number of measures, depending on how much money is owing and what the FMEP knows about the payor's current situation. The program can attach income, register a lien against the payor's personal property, and even obtain a court order to seize and sell property of a delinquent payor.
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Improved criminal case flow management rules are intended to bring greater efficiency to courtroom processes by ensuring that court events occur when they are scheduled and that Crown counsel and defence counsel engage in meaningful discussions early in the process.

Risks to this business area would include a loss of judges on the bench due to illness, retirements or non-replacement. If the area operates with reduced numbers, this could reduce the projected number of sitting hours.

Expenditures for Independent Judiciary

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Client ministries are charged for legal services received. Consequently, both access to services and service levels are dependent on client ministry budgets. Funding reductions may limit access to timely and adequate legal advice, possibly rendering ministries less able to avoid legal risks.

Expenditures for Aboriginal Negotiation and Litigation

(With the exception of FTEs, all figures are expressed in thousands of dollars)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	7,400	9,100	Variance primarily due to increased volume of aboriginal matters.
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	—	—	
FTEs direct	45	57	Variance primarily due to increased volume of aboriginal matters.
Financing Transactions	—	—	

Statutory, Special Accounts and Agencies, Boards and Commissions (ABCs)

The purpose of this core business area is to support the operations of agencies, boards and commissions (ABCs) for which the Ministry of Attorney General and the Ministry of Public Safety & Solicitor General are responsible. Responsibilities include administrative and policy support, database management, and management of the Order in Council (OIC) and Ministerial Order (MO) appointment process for both ministries.

This business area also provides contract management and logistical and administrative support to statutory bodies (e.g., commissions of inquiry, Electoral Boundaries Commission, Judicial Compensation Committee, Judicial Justice Compensation Committee) and to major projects (e.g., the Administrative Justice Project and the Pay Equity Task Force).

Services are delivered by ministry staff and contractors. Clients are the Attorney General, the Solicitor General, the Deputy Attorney General, the Deputy Solicitor General, the Deputy Minister of the Treaty Negotiation Office, ministry branches responsible for specific ABCs, and commissions of inquiry. There are no direct services to the public, although the public does benefit through the actions of the agencies, boards and commissions that have been established in the public interest and which receive ministry support.

Risks that this business area might experience are largely administrative. For example, an unexpected database failure could delay appointment processes. This, in turn, could affect an agency's ability to deliver its services and honour its commitments on time. Additional demands brought about by an increased number of inquiry commissions and/or special projects would likely exceed area capacity and result in diminished services and delays.

Expenditures for Statutory, Special Accounts and ABCs

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	17,908	19,212	Variance primarily due to the creation of the Office for Children and Youth.
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	929	1,099	Variance primarily due to the acquisition of personal computers and systems development.
FTEs direct	279	285	
Financing Transactions	—	—	

Corporate Services for Ministry of Attorney General and Ministry of Public Safety and Solicitor General

This business area provides support services to the ministries of Attorney General and Solicitor General and to the Treaty Negotiations Office (TNO). Included among these services to both ministries and the TNO are financial and resource management, policy and legislation development, facility inspections, corporate planning and reporting, and information technology development. The ministry branches responsible for most of these services are Policy, Planning and Legislation and Management Services.

Corporate Services is often given responsibility for launching new ministry and government justice initiatives — or certain aspects of such initiatives — and developing them to a point where they can be turned over to other areas of the ministry or to other agencies for further action. The Citizens' Assembly on Electoral Reform is one example where Corporate Services oversaw development of a terms of reference to govern the Assembly, which later moved under the auspices of the Legislative Assembly. Another example is the Administrative Justice Project (AJP), one of many justice reform efforts under way in this business area. The AJP reviewed the nature, quality and timeliness of the services that administrative justice agencies such as the Labour Relations Board and the Commercial Appeals Commission deliver to the public. Following the review, a separate Administrative Justice Office was set up to implement recommendations from the review.

Corporate Services also analyses existing policies and legislation and develops new policy or legislation in support of priority initiatives. Through the Management Services Branch, it provides budget development and monitoring; revenue planning; accounting and financial reporting; payment processing; financial control and systems support; and support for procurement, and for contract and risk management. It is also responsible for developing effective technology solutions for the two client ministries. Services are delivered by staff and occasionally by contracted providers.

While there are no direct services to the public, the public interest is served in several ways. For example, criminal justice, civil justice and family justice policies are vital to the public

Expenditures for Aboriginal Negotiation and Litigation

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	7,400	9,100	Variance primarily due to increased volume of aboriginal matters.
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	—	—	
FTEs direct	45	57	Variance primarily due to increased volume of aboriginal matters.
Financing Transactions	—	—	

Statutory, Special Accounts and Agencies, Boards and Commissions (ABCs)

The purpose of this core business area is to support the operations of agencies, boards and commissions (ABCs) for which the Ministry of Attorney General and the Ministry of Public Safety & Solicitor General are responsible. Responsibilities include administrative and policy support, database management, and management of the Order in Council (OIC) and Ministerial Order (MO) appointment process for both ministries.

This business area also provides contract management and logistical and administrative support to statutory bodies (e.g., commissions of inquiry, Electoral Boundaries Commission, Judicial Compensation Committee, Judicial Justice Compensation Committee) and to major projects (e.g., the Administrative Justice Project and the Pay Equity Task Force).

Services are delivered by ministry staff and contractors. Clients are the Attorney General, the Solicitor General, the Deputy Attorney General, the Deputy Solicitor General, the Deputy Minister of the Treaty Negotiation Office, ministry branches responsible for specific ABCs, and commissions of inquiry. There are no direct services to the public, although the public does benefit through the actions of the agencies, boards and commissions that have been established in the public interest and which receive ministry support.

Risks that this business area might experience are largely administrative. For example, an unexpected database failure could delay appointment processes. This, in turn, could affect an agency's ability to deliver its services and honour its commitments on time. Additional demands brought about by an increased number of inquiry commissions and/or special projects would likely exceed area capacity and result in diminished services and delays.

Expenditures for Statutory, Special Accounts and ABCs

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	17,908	19,212	Variance primarily due to the creation of the Office for Children and Youth.
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	929	1,099	Variance primarily due to the acquisition of personal computers and systems development.
FTEs direct	279	285	
Financing Transactions	—	—	

Corporate Services for Ministry of Attorney General and Ministry of Public Safety and Solicitor General

This business area provides support services to the ministries of Attorney General and Solicitor General and to the Treaty Negotiations Office (TNO). Included among these services to both ministries and the TNO are financial and resource management, policy and legislation development, facility inspections, corporate planning and reporting, and information technology development. The ministry branches responsible for most of these services are Policy, Planning and Legislation and Management Services.

Corporate Services is often given responsibility for launching new ministry and government justice initiatives — or certain aspects of such initiatives — and developing them to a point where they can be turned over to other areas of the ministry or to other agencies for further action. The Citizens' Assembly on Electoral Reform is one example where Corporate Services oversaw development of a terms of reference to govern the Assembly, which later moved under the auspices of the Legislative Assembly. Another example is the Administrative Justice Project (AJP), one of many justice reform efforts under way in this business area. The AJP reviewed the nature, quality and timeliness of the services that administrative justice agencies such as the Labour Relations Board and the Commercial Appeals Commission deliver to the public. Following the review, a separate Administrative Justice Office was set up to implement recommendations from the review.

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While there are no direct services to the public, the public interest is served in several ways. For example, criminal justice, civil justice and family justice policies are vital to the public interest and central to the tenets of a democratic society. The development of legislation is a key function of the provincial government. Articulating government direction and priorities through Service Plans and reporting on progress achieved through Annual Reports keep the public informed and the government accountable for its decisions.

This business area moves justice-related initiatives and other government priorities forward through the timely management and delivery of key components for each initiative. A decline in the capacity of this business area, coupled with a growing need and demand for its services, can delay the development and implementation of major government and ministry initiatives and affect the quality of services offered to clients.

Expenditures for Corporate Services for MAG/TNO and MPSSG

(With the exception of FTEs, all figures are expressed in thousands of dollars)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	50,260	49,224	Variance primarily due to amortization savings.
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	12,205	9,425	Variance due to savings from projected costs for personal computer replacements.
FTEs direct	359	282	Variance due to Early Retirement Incentive Plan (ERIP) adjustments and hiring lags.
Financing Transactions	925	498	

Treaty Negotiations Office

This office negotiates and implements treaties and other agreements with First Nations. In doing so, legal certainty regarding the ownership and use of Crown land and resources is clarified, which contributes to economic growth for all British Columbians.

Risks this business area might experience relate to the pace and complexity of negotiations and the uncertainty surrounding agreement closure given the tripartite nature of the treaty process.

Expenditures for the Treaty Negotiations Office

(With the exception of FTEs, all figures are expressed in thousands of dollars.)	2002/03 Target	2002/03 Actual	Explanation of Significant Variances (if any)
Operating expenditures	51,193	29,034	Variance primarily due to payments not required to the McLeod Lake Indian Band; to treaty-related measures funding not required; and to salary and other operating cost savings achieved by accelerated reorganization of the Office. Savings were partially offset by higher economic measures expenditures.
Capital expenditures (CCP)	—	—	
Capital expenditures (CRF)	—	—	
FTEs direct	113	87	Variance primarily due to the accelerated reorganization of the Office.
Financing Transactions	2,972	1,452	

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Performance Reporting

This section focuses on four key business areas of the ministry that deliver services with direct links and benefits to individuals, their families and communities — Community and Public Safety, Social and Economic Stability, Assisting the Vulnerable and Victims and the Treaty Negotiations Office.

It identifies the broad ministry goal or goals that each area supports and describes how the key objectives, strategies and measures connect to the goals and to each other. The performance information explains how each key measure informs the ministry goals and the business area objectives and strategies. Performance is also discussed in terms of actual results versus estimated targets. Other information such as data sources and multi-year data is presented whenever practicable.

Supplemental measures that are largely operational, but which complement the more critical measures discussed in this section, appear in the appendix to this report and are arranged by business area.

Performance measures and results for those core business areas that offer services to government and its agencies, rather than directly to the public, are also covered in the appendix. Those areas are Lawful Government; Aboriginal Negotiation and Litigation; Agencies, Boards and Commissions; and Corporate Services. Independent Judiciary is also included in the appendix since the three measures informing this business area inform workload, and all of the targets are workload projections as opposed to intended outcomes.

The ministry's overall, long-term directions are based on the following five broad goals and are consistent with the vision, themes and principles that underlie the Government Strategic Plan.

GOAL 1: Laws and justice services are administered fairly, equitably and efficiently to all British Columbians, while individual rights and judicial independence are protected.

GOAL 2: Citizens and communities of British Columbia receive protection from crime and its social and economic consequences.

GOAL 3: High-quality legal services are provided to government.

GOAL 4: The treaty process achieves agreements, and the economic climate is enhanced through effective negotiations.

GOAL 5: The efficiency of all ministry operations is improved through the use of innovative business practices and technology.

Community and Public Safety

Ministry Goals Supported by Business Area	Key Objective	Key Strategies
Goal 1: Laws and justice services are administered fairly, equitably and efficiently to all British Columbians, while individual rights and judicial independence are protected Goal 2: Citizens and communities of British Columbia receive protection from crime and its social and economic consequences Goal 5: The efficiency of all ministry operations is improved through the use of innovative business practices and technology	**Process criminal cases in a timely and efficient manner within three levels of court.**	• Conduct timely criminal prosecutions • Provide efficient, effective court administration, prisoner escort and court security support • Expand use of technology and innovative processes in the court system

The **key objective** for this business area — timely and efficient case processing — contributes to public safety and supports ministry goals 1, 2 and 5. Appropriate case dispositions can reinforce public perception and understanding of the justice system and bolster confidence that the system is administered fairly and equitably (Goal 1). Sentences can have a deterrent effect and also assure the public that social order is being upheld by the rule of law (Goal 2). The effective use of resources such as staff time, facilities, and technology contributes to efficiencies such as reducing unnecessary court appearances and better utilizing court capacity (Goal 5).

The **key strategies** help achieve the objective by:

- implementing efficiencies within the prosecutorial process to help reduce case processing time and move more criminal cases through the court system;
- ensuring that case files are in order, court lists are prepared, necessary staff and facilities are provided, persons in custody are available when required and disruptions and safety risks are minimal;
- reducing redundant data entry, enabling better and safer coordination of prisoner movements, and avoiding some prisoner escort and witness travel costs though videoconferencing.

Four key performance measures inform this core business area.

1 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Percentage of criminal cases (excluding traffic) completed within 8 months	72% (Adjusted from reported estimate of 64%)	64%	71% ➤ **Target Surpassed**

Community and Public Safety

Ministry Goals Supported by Business Area	Key Objective	Key Strategies
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Percentage of criminal cases (excluding traffic) completed within 8 months	72% (Adjusted from reported estimate of 64%)	64%	71% ➤ **Target Surpassed**

Time from case commencement to disposition is an indicator of system efficiency. Case law has established that unacceptable system delay can be grounds for dismissing charges. This efficiency measure supports the objective for this business area, as well as ministry goals 1 and 5.

The actual result for 2002/03 shows a slight decrease from the adjusted actual (72%) for 2001/02. Slight increases and decreases have been occurring over the past five years, but overall the measure seems to be relatively consistent. In 1998/99, 69% of cases were completed within 8 months. This increased to 71% in 1999/00 and to 73% in 2000/01, followed by the slight decreases shown above over the next two years.

The 2002/03 target was set at a lower rate of 64% because it was expected that two factors — case complexity and reductions in funding — could potentially lower the percentage of cases completed within 8 months. The 2002/03 rate of 71% shows that this did not occur.

The data source for this measure is JUSTIN, a highly reliable, integrated case-tracking system used throughout the province.

2 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Average number of appearances per completed [criminal] case in Provincial Court	5.7	5.6	5.8 ➤ **Target Largely Met**

Each court appearance should involve meaningful actions which contribute to case disposition. As criminal cases grow in complexity and involve intricate legal issues, multiple parties, large volumes of technical evidence and expert witnesses, they often take longer to resolve and use more court resources. They can also require more court appearances before the case is completed. If the average number of court appearances needed to complete a criminal case can be maintained or reduced, court resources can be utilized to process more cases through the justice system at a lower cost per case. This contributes to earlier access and resolution for more cases and to more efficient use of court resources — all of which help achieve the objective for this business area. The actual result for 2002/03 is consistent with the projected long-term target.

Data from previous years show that the average number of appearances seems to be increasing fractionally. The average number of appearances in 1998/99 was 5.4. In 1999/00, it was 5.5, and in 2000/01, it rose to 5.8. These fluctuations are consistent with increased case complexity. However, new criminal case flow management rules, intended to increase procedural efficiencies, were implemented in all 13 judicial districts in the province as of October 2000. The rules are helping to maintain and control the average number of appearances required to complete a criminal case. Data source for this measure is the JUSTIN case-tracking system.

3 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Numbers of locations and hours for criminal sittings at all levels of court	99 locations 68 staffed locations 108,600 hours (corrected from projection of 114,000 hours)	74 locations 43 staffed locations 105,500 hours (adjusted down from projection of 110,900 hours)	87 locations 44 staffed locations 105,835 hours ➤ **Targets Met; Actual Reflects New Circuit Courts**

The number of court locations is a crude indicator of courthouse distribution within the province and public accessibility to the court system. In order to meet 2002/03 to 2004/05 budget targets, the ministry closed 24 of the 68 staffed courthouses in the province. Some were small, one-room locations and others were mid-sized facilities. Several municipalities volunteered to enter into partnerships with the ministry, resulting in the creation of 15 additional circuit courts. These courts maintain access to justice while saving court registry and staff costs, and support the objective for this business area as well as ministry goals 1, 2 and 5.

The 2002/03 actual number of court locations represents the outcome of ministry decisions taken with respect to both staffed locations and circuit courts.

Sitting hours are generally accepted as a measure of court activity, but they are projections rather than true targets. Data source for this measure is the JUSTIN case-tracking system.

4 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Numbers of videoconferencing units at courts and correctional centres	62	65	63 ➤ **Target Delayed**

Videoconferencing technology can help promote timeliness and efficiency in court processes. Use of this technology supports the objective for this business area and ministry goals 1 and 5. Videoconferencing allows savings on costs for prisoner escorts and witnesses. It enables greater court event certainty so that scheduled events occur on time. It permits judicial and counsel flexibility and allows matters to be concluded more quickly.

The number of units in service represents the system's capacity and opportunity to use the technology for improving efficiency. Although five additional units were purchased in 2002/03, only one was installed. Installation of the other four units is scheduled for early 2003/04. When those units are installed, the 2002/03 and 2003/04 targets will be surpassed. The process of installing and redeploying equipment often results in slight fluctuations in total number of units in service.

In January 2000, there were fourteen operational units in courthouses and correctional centres. Since then, expansion of the technology has been fairly rapid. Among provinces, B.C. is an acknowledged leader in the use of videoconferencing in the courtroom.

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Social and Economic Stability

Ministry Goals Supported by Business Area	Key Objective	Key Strategies
Goal 1: Laws and justice services are administered fairly, equitably and efficiently to all British Columbians, while individual rights and judicial independence are protected Goal 5: The efficiency of all ministry operations is improved through the use of innovative business practices and technology	**Promote out-of-court dispute resolution within the civil/family justice system** **Support operation of three levels of court in resolving civil and family disputes**	• Reduce demand for court services through dispute resolution services and mandatory referral to Family Justice Counsellors for families undergoing separation and divorce • Support public assess to mediation with trained mediators to resolve civil justice disputes • Provide efficient, effective registry operations, court administration and court security support

The **key objectives** for this business area support ministry goals 1 and 5. The first objective — promoting out-of-court dispute resolution options — is directed at out-of-court services to individuals and families. The second objective is directed at in-court services for those clients. Together, the two objectives guarantee choice to people involved in civil or family disputes.

Resolving disputes in ways that are seen by the public as fair, appropriate and equitable contributes to social stability. Offering justice system users a range of options for resolving their disputes creates efficiencies by reserving the resource-intensive court process for those cases that need it most. Many civil cases can be resolved out of court by using innovative dispute resolution processes such as mediation. Such processes allow people to participate actively in creating fair, enduring agreements that are tailored to their needs. Fair and efficient administration of laws and justice services (goals 1 and 5) are served by alternative approaches to courtroom litigation.

The **key strategies** help achieve the objectives in several ways. By offering litigants choices, disputing parties can select a process that best fits the unique characteristics of each case as well as the personal dynamics and circumstances involved. By making some processes mandatory (such as mandatory referral to Family Justice Counsellors), the demand for court hearing days is reduced.

One of the primary out-of-court dispute resolution options promoted by the ministry is mediation. The second strategy helps ensure that a pool of high quality mediators is accessible at all times, which is essential to the promotion and expansion of mediation programs. The third strategy ensures that civil litigants who choose to have their disputes handled in court are afforded the court registry and security services that are required.

Six key performance measures inform this core business area.

1 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Number of communities served by Family Justice Centres (FJCs)	56	56	56 ➤ **Target Met**

This measure indicates that, despite limited resources, the ministry has maintained access to out-of-court justice services for families across the province. A decrease in this measure would mean that families had less access to such services and might rely to a greater degree on courtroom processes. Maintaining access is critical to promoting the use of out-of-court options.

2 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Number of FJCs with mandatory referral to family justice ounseling services	6	6	6 ➤ **Target Met**

The results for this measure speak to the promotion of out-of-court dispute resolution. Mandatory referrals increase public awareness of out-of-court settlement opportunities and raise the likelihood of resolution without utilizing court resources.

3 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Number of mediators in B.C. mediation roster	117	160	193 ➤ **Target Surpassed**

As more mediators are trained and available to mediate disputes, more individuals and families can choose mediation as an option, and more civil and family cases will be directed away from in-court processes. In 2002/03, there were 76 additional mediators on the B.C. mediation roster than in 2001/02.

The data for measures 1-3 above are straight counts. The Dispute Resolution Office maintains records to inform these measures.

4 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Percentage of small claims disputes settled through out-of-court dispute resolution options in 4 sites	56% (adjusted to 57%)	60%	50% (subject to adjustment) ➤ **Target Likely Unmet**

This measure indicates the proportion of small claims disputes that have been successfully resolved through mediation from April 2002 through March 2003. Ideally the proportion of disputes reaching settlement through mediation should increase. An increase would mean that more cases that might otherwise have gone to court are being resolved through less costly means. This leaves more resources available to process cases that require courtroom resolution. There were 850 mediations conducted in 2002/03; half of these, or 425, reached settlement and avoided court.

Social and Economic Stability

Ministry Goals Supported by Business Area	Key Objective	Key Strategies
Goal 1: Laws and justice services are administered fairly, equitably and efficiently to all British Columbians, while individual rights and judicial independence are protected Goal 5: The efficiency of all ministry operations is improved through the use of innovative business practices and technology	**Promote out-of-court dispute resolution within the civil/family justice system** **Support operation of three levels of court in resolving civil and family disputes**	• Reduce demand for court services through dispute resolution services and mandatory referral to Family Justice Counsellors for families undergoing separation and divorce • Support public assess to mediation with trained mediators to resolve civil justice disputes • Provide efficient, effective registry operations, court administration and court security support

The **key objectives** for this business area support ministry goals 1 and 5. The first objective — promoting out-of-court dispute resolution options — is directed at out-of-court services to individuals and families. The second objective is directed at in-court services for those clients. Together, the two objectives guarantee choice to people involved in civil or family disputes.

Resolving disputes in ways that are seen by the public as fair, appropriate and equitable contributes to social stability. Offering justice system users a range of options for resolving their disputes creates efficiencies by reserving the resource-intensive court process for those cases that need it most. Many civil cases can be resolved out of court by using innovative dispute resolution processes such as mediation. Such processes allow people to participate actively in creating fair, enduring agreements that are tailored to their needs. Fair and efficient administration of laws and justice services (goals 1 and 5) are served by alternative approaches to courtroom litigation.

The **key strategies** help achieve the objectives in several ways. By offering litigants choices, disputing parties can select a process that best fits the unique characteristics of each case as well as the personal dynamics and circumstances involved. By making some processes mandatory (such as mandatory referral to Family Justice Counsellors), the demand for court hearing days is reduced.

One of the primary out-of-court dispute resolution options promoted by the ministry is mediation. The second strategy helps ensure that a pool of high quality mediators is accessible at all times, which is essential to the promotion and expansion of mediation programs. The third strategy ensures that civil litigants who choose to have their disputes handled in court are afforded the court registry and security services that are required.

Six key performance measures inform this core business area.

1 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Number of communities served by Family Justice Centres (FJCs)	56	56	56 ➤ **Target Met**

This measure indicates that, despite limited resources, the ministry has maintained access to out-of-court justice services for families across the province. A decrease in this measure would mean that families had less access to such services and might rely to a greater degree on courtroom processes. Maintaining access is critical to promoting the use of out-of-court options.

2 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Number of FJCs with mandatory referral to family justice ounseling services	6	6	6 ➤ **Target Met**

The results for this measure speak to the promotion of out-of-court dispute resolution. Mandatory referrals increase public awareness of out-of-court settlement opportunities and raise the likelihood of resolution without utilizing court resources.

3 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Number of mediators in B.C. mediation roster	117	160	193 ➤ **Target Surpassed**

As more mediators are trained and available to mediate disputes, more individuals and families can choose mediation as an option, and more civil and family cases will be directed away from in-court processes. In 2002/03, there were 76 additional mediators on the B.C. mediation roster than in 2001/02.

The data for measures 1-3 above are straight counts. The Dispute Resolution Office maintains records to inform these measures.

4 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Percentage of small claims disputes settled through out-of-court dispute resolution options in 4 sites	56% (adjusted to 57%)	60%	50% (subject to adjustment) ➤ **Target Likely Unmet**

This measure indicates the proportion of small claims disputes that have been successfully resolved through mediation from April 2002 through March 2003. Ideally the proportion of disputes reaching settlement through mediation should increase. An increase would mean that more cases that might otherwise have gone to court are being resolved through less costly means. This leaves more resources available to process cases that require courtroom resolution. There were 850 mediations conducted in 2002/03; half of these, or 425, reached settlement and avoided court.

Actual settlement rates are dependent on many factors. Different categories of cases have different settlement rates, and some cases are more challenging to settle than others. During 2002/03, the program received more of the challenging cases than it had in previous years. This affected the settlement rate. As well, during the past year, several experienced mediators left the program, leaving less experienced mediators to handle an increased number of difficult cases. Inexperienced mediators generally have lower settlement rates than do experienced ones.

Many families experienced difficult economic times over the past year. When disputants are under great financial and emotional pressures, they are not as inclined to negotiate and compromise as they are when they have fewer financial worries.

In efforts to increase the proportion of cases resolved through mediation, the ministry's Dispute Resolution Office is continuing to support and fund high-quality training for new mediators. This strategy also increases the number of available qualified mediators. Mediation for small claims construction cases is now mandatory, and a Notice to Mediate process can now be used by one disputant to compel the other party or parties to mediate.

5 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Mean rate of satisfaction with civil dispute resolution processes in 4 sites (1 = very dissatisfied; 5 = very satisfied)	3.5	3.5	4.4 ➤ **Target Surpassed**

This measure is based on a satisfaction survey of disputants who have undergone the dispute resolution process. The result indicates a high level of satisfaction with the approach. High satisfaction levels can encourage a greater use of dispute resolution options.

The data source for measures 4 and 5 above is the Court Mediation Program database. No reliability issues have been associated with this database.

6 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Numbers of locations and hours for civil and family sittings at all levels of court	96 locations 66 staffed locations 75,000 hours	72 locations 41 staffed locations 72,900 hours	87 locations 43 staffed locations 75,108 hours ➤ **Target Met; Actual Reflects New Circuit Courts**

As described earlier in this document, the number of court locations is a crude indicator of courthouse distribution and public accessibility to the court system. To meet three-year budget targets, the ministry closed 24 of the 68 staffed courthouses in the province. Today there are 43 staffed locations that handle civil cases. This is one location less than the number of locations that handle criminal cases because the Vancouver Provincial Court does not process civil cases.

As staffed courthouses were being closed, several municipalities volunteered to enter into partnerships with the ministry and create 15 additional circuit courts. These courts maintain access to justice while saving court registry and staff costs. The 2002/03 actual number of court locations represents the outcome of ministry decisions taken with respect to both staffed locations and circuit courts.

Sitting hours are generally accepted as a measure of court activity. The addition of circuit courts supports the second objective for this business area as well as ministry goals 1, 2 and 5.

Data source for this measure is the JUSTIN case-tracking system.

Assisting the Vulnerable and Victims

Ministry Goals Supported by Business Area	Key Objectives	Key Strategies
Goal 1: Laws and justice services are administered fairly, equitably and efficiently to all British Columbians, while individual rights and judicial independence are protected Goal 2: Citizens and communities of British Columbia receive protection from crime and its social and economic consequences	**Strengthen enforcement of family maintenance orders to reduce demand for income assistance [formerly called BC Benefits]** **Expedite the resolution of child protection cases** **Support access to justice for victims of violence and other vulnerable persons**	• Provide early settlement opportunities for child protection cases • Provide trained mediators for all voluntary child protection mediation requests • Maximize the appropriate use of Victim Impact Statements/ Informations at sentencing

The **key objectives** for this business area support ministry goals 1 and 2. Recognition and enforcement of child and spousal maintenance obligations support the administration of family law statutes and help ensure that laws and justice services are fairly and equitably applied (Goal 1). Early resolution of child protection cases helps ensure that the rights and safety of children are acknowledged and protected (Goal 2). Early resolution also contributes to the fair, equitable, efficient use of justice services (Goal 1). In supporting access to justice for victims of violence, vulnerable citizens are provided with options to assist them in dealing with the consequences of crimes against them (Goal 2).

The **key strategies** help achieve the objectives by:

- making settlement opportunities available in child protection and family maintenance cases and ensuring that parents and spouses are aware of, and fulfill, their obligations;
- ensuring trained mediators are available to expedite the resolution of family disputes, especially those that involve the protection of children; and
- encouraging victims to make the justice system and offenders aware of the effects that violent crimes against them have had.

Actual settlement rates are dependent on many factors. Different categories of cases have different settlement rates, and some cases are more challenging to settle than others. During 2002/03, the program received more of the challenging cases than it had in previous years. This affected the settlement rate. As well, during the past year, several experienced mediators left the program, leaving less experienced mediators to handle an increased number of difficult cases. Inexperienced mediators generally have lower settlement rates than do experienced ones.

Many families experienced difficult economic times over the past year. When disputants are under great financial and emotional pressures, they are not as inclined to negotiate and compromise as they are when they have fewer financial worries.

In efforts to increase the proportion of cases resolved through mediation, the ministry's Dispute Resolution Office is continuing to support and fund high-quality training for new mediators. This strategy also increases the number of available qualified mediators. Mediation for small claims construction cases is now mandatory, and a Notice to Mediate process can now be used by one disputant to compel the other party or parties to mediate.

5 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Mean rate of satisfaction with civil dispute resolution processes in 4 sites (1 = very dissatisfied; 5 = very satisfied)	3.5	3.5	4.4 ➤ **Target Surpassed**

This measure is based on a satisfaction survey of disputants who have undergone the dispute resolution process. The result indicates a high level of satisfaction with the approach. High satisfaction levels can encourage a greater use of dispute resolution options.

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- ensuring trained mediators are available to expedite the resolution of family disputes, especially those that involve the protection of children; and
- encouraging victims to make the justice system and offenders aware of the effects that violent crimes against them have had.

Three key performance measures inform this core business area.

1 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Rate of child support payments received through enforcement	78 cents on each dollar due	79 cents on each dollar due	79 cents on each dollar due ➤ **Target Met**

To reduce the risk that families involved in child support disputes will require income assistance, the rate of child support payments received through enforcement should gradually increase. For 2002/03, the modest target of 79 cents received per dollar due was reached. Data source for this measure is program documentation and records held in the Dispute Resolution Office of the ministry.

2 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Percentage of voluntary child protection cases for which trained mediators are available	100%	100%	100% ➤ **Target Met**

This measure is monitored to ensure it remains at 100%. If the measure should fall below 100%, it would mean that some families did not receive the services that are intended to expedite the resolution of child protection disputes. Data source for this measure is program documentation and records held in the Dispute Resolution Office.

3 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
Percentage of Victim Impact Statements/Informations received that are used at sentencing	38%	38%	84% ➤ **Target Unrealistic**

The target for 2002/03 was based on incomplete data from past years; consequently, it was set too low. The results cannot be interpreted as improved services to victims of crime.

During 2002/03, Crown and support staff worked to ensure more complete data entry. The result for 2002/03 represents the first reliable baseline information obtained for this measure, and will serve to establish future targets. The 2002/03 data for this measure is held on JUSTIN, where data for subsequent years will also be entered.

This measure is a percentage of the number of victims involved in cases with a guilty finding, where the Crown presented or filed either the Victim Impact Statement or other victim impact information in court at the time of sentencing divided by the total number of victims who provided such information.

Treaty Negotiations Office

Ministry Goals Supported by Business Area	Key Objective	Key Strategies
Goal 4: The treaty process achieves agreements, and the economic climate is enhanced through effective negotiations	**Clarify aboriginal rights and title to establish greater legal certainty** **Support government's major economic priorities**	• Following the referendum, develop negotiation options and models that allow for choice on how to deal with the land question; reach agreement with Canada and First Nations. • Following the referendum, develop a policy framework for practical governance arrangements for First Nations. • Engage First Nations in economic opportunities (oil and gas exploration and development, 2010 Olympic Bid, forestry, Central Coast initiatives).

Engaging in strategies that clarify aboriginal rights and title (Objective 1), and that involve First Nations in economic opportunities (Objective 2), can strengthen the treaty process, lead to meaningful agreements, and enhance the province's investment climate (Goal 4).

All of the key strategies involve processes that are intended to facilitate meaningful agreements and secure continued involvement of the province's treaty partners. These processes include:

- working with the province's treaty partners to explore options to revitalize treaty negotiations following the referendum;
- developing workable models for self-government arrangements that help the parties conclude agreements;
- implementing the Economic Measures Fund to support government's economic priorities and increase First Nations' participation in the economy;
- building strong relationships between First Nations and local governments and business interests to facilitate partnerships and joint initiatives;
- working proactively to address disputes and minimize potential disruption;
- using the referendum results as a base of public support on which to build local support for negotiated agreements;
- ensuring the disruption of legal interests is minimized in the negotiation and settlement of treaties and other agreements;
- consulting with local governments and stakeholders to ensure their views are taken into account during negotiations; and

Three key performance measures inform this core business area.

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- ensuring the disruption of legal interests is minimized in the negotiation and settlement of treaties and other agreements;
- consulting with local governments and stakeholders to ensure their views are taken into account during negotiations; and

- fulfilling implementation obligations arising from treaties and other agreements and providing leadership and support to line ministries during the process.

Three key performance measures inform this core business area.

1 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
# of significant treaty-related agreements	No data	3 – 4	3 ➤ **Target Met**

This measure reflects the number of treaty-related agreements (e.g., agreements-in-principle, final agreements, significant measures to protect or acquire lands for treaty settlement purposes) entered into with First Nations and Canada. There were no baseline data for this measure since the approach reflects a shift in the way treaties with First Nations are negotiated. Consequently the target denotes an estimated acceptable range for the measure, and the result shows that the range is a realistic one.

2 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
# of agreements focusing on economic priorities	No data	2 – 4	18 ➤ **Target Surpassed**

This measure represents the number of agreements achieved that focused on government's major economic priorities (e.g., oil and gas exploration and development, 2010 Olympic Bid, forestry, Central Coast initiatives, aquaculture). The target was an estimate. Variance from the estimate is due to higher than expected applications of multi-year proposals to the Economic Measures Fund.

3 Performance Measure	2001/02 Actual	2002/03 Target	2002/03 Actual
# of First Nations citizens engaged in training opportunities	Unavailable	100	60 ➤ **Target Delayed**

This measure tracks the number of First Nations citizens that are engaged in training opportunities related to activities under the Economic Measures Fund. During the reporting period, training opportunities were somewhat lower than anticipated when the 2002/03 target was set. Many training programs were established during the fiscal year and began operating only after the fiscal year end.

Report on Resources

The 2002/2003 Service Plan was organized by core business area and not by ministry branch. However the *Estimates* for 2002/2003 were organized by vote and subvote structure, an arrangement that is more closely aligned to ministry branches. Consequently, resource summaries in the two documents were inconsistent and could not easily be compared.

This section of the report summarizes the 2002/2003 resources according to both arrangements. Expenditures by core business area are presented first in order to reflect the 2002/2003 Service Plan. Expenditures by vote and subvote structure are presented as well, mirroring the 2002/2003 *Estimates* document as presented to the Legislative Assembly on February 19, 2002. Variances are explained in the footnotes for both tables.

2002/03 Resource Summary by Core Business Area

	Estimated	Other Authorizations	Total	Actual	Variance
Operating Expenses ($000)					
Community and Public Safety	205,999	—	205,999	198,430	7,569[1]
Social and Economic Stability	66,891	—	66,891	80,509	(13,618)[2]
Lawful Government	46,349	—	46,349	46,851	(502)
Assisting the Vulnerable and Victims	59,868	—	59,868	48,185	11,683[3]
Independent Judiciary	50,360	—	50,360	50,217	143
Aboriginal Negotiation and Litigation	7,400	—	7,400	9,100	(1,700)[4]
Statutory, Special Accounts and Agencies, Boards and Commissions	17,908	—	17,908	19,212	(1,304)[5]
Corporate Services for Attorney and Solicitor General	50,260	—	50,260	49,224	1,036[6]
Treaty Negotiations Office	51,193	—	51,193	29,034	22,159[7]
Total	**556,228**	**—**	**556,228**	**530,762**	**25,466**

[1] Variance primarily due to reductions in numbers of witnesses and contracted lawyers; reduced transcript costs; hiring lags; and reallocation of expenditures to Social and Economic Stability after publication of the Service Plan.

[2] Variance primarily due to reallocation of expenditures from Community and Public Safety and Assisting the Vulnerable and Victims after publication of the Service Plan.

[3] Variance primarily due to reallocation of expenditures to Social and Economic Stability after publication of the Service Plan.

[4] Variance primarily due to increased volume of aboriginal matters.

[5] Variance primarily due to the creation of the Office for Children and Youth.

[6] Variance primarily due to amortization savings.

[7] Variance primarily due to payments not required to the McLeod Lake Indian Band; treaty-related measures funding not required; and salary, and other operating cost savings due to the accelerated reorganization of the Office; partially offset by higher economic measures expenditures.

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	Estimated	Other Authorizations	Total	Actual	Variance
Full-time Equivalents (FTEs)					
Community and Public Safety	1,593	—	1,593	1,589	4
Social and Economic Stability	584	—	584	538	46[8]
Lawful Government	217	—	217	276	(59)[9]
Assisting the Vulnerable and Victims	49	—	49	46	3
Independent Judiciary	396	—	396	372	24[8]
Aboriginal Negotiation and Litigation	45	—	45	57	(12)[10]
Statutory, Special Accounts and Agencies, Boards and Commissions	279	—	279	285	(6)
Corporate Services for Attorney and Solicitor General	359	—	359	282	77[11]
Treaty Negotiations Office	113	—	113	87	26[12]
Total	**3,635**	**—**	**3,635**	**3,532**	**103**
Ministry Capital Expenditures (CRF) ($000)					
Community and Public Safety	11,428	—	11,428	11,380	48
Social and Economic Stability	388	—	388	173	215[13]
Lawful Government	231	—	231	387	(156)[14]
Assisting the Vulnerable and Victims	205	—	205	0	205[15]
Independent Judiciary	591	—	591	231	360[16]
Statutory, Special Accounts and Agencies, Boards and Commissions	524	405	929	1,099	(170)[17]
Corporate Services for Attorney and Solicitor General	12,205	—	12,205	9,425	2,780[18]
Total	**25,572**	**405**	**25,977**	**22,695**	**3,282**

[8] Variance primarily due to hiring lags.

[9] Variance primarily due to higher level of cost-recovered services being provided.

[10] Variance primarily due to increased volume of aboriginal matters.

[11] Variance primarily due to Early Retirement Incentive Plan (ERIP) adjustments and hiring lags.

[12] Variance primarily due to the accelerated reorganization of the Office.

[13] Variance primarily due to savings in a systems project and on vehicle and furniture purchases.

[14] Variance primarily due to higher technology costs in order to implement full cost recovery.

[15] Variance primarily due to systems project not proceeding.

[16] Variance primarily due to delay in systems projects and furniture not purchased.

[17] Variance primarily due to the acquisition of personal computers and systems development.

[18] Variance primarily due to savings from projected costs for personal computer replacements.

	Estimated	Other Authorizations	Total	Actual	Variance
Consolidated Capital Plan Expenditures (CCP) ($000)					
Community and Public Safety	1,950	—	1,950	2	1,948[19]
Social and Economic Stability	1,300	—	1,300	0	1,300[19]
Total	**3,250**	**—**	**3,250**	**2**	**3,248**
Other Financing Transactions ($000)					
Corporate Services for Attorney and Solicitor General					
Interest on Trusts and Deposits					
Receipts	925	—	925	498	427
Disbursements	925	—	925	498	427
Net Cash Source (Requirements)	—	—	—	—	—
Treaty Negotiations Office					
Receipts	—	—	—	—	—
Disbursements	2,972	—	2,972	1,452	1,520
Net Cash Source (Requirements)	2,972	—	2,972	1,452	1,520
Total Receipts	**925**	**—**	**925**	**498**	**427**
Total Disbursements	**3,897**	**—**	**3,897**	**1,950**	**1,947**
Total Net Cash Source (Requirements)	**2,972**	**—**	**2,972**	**1,452**	**1,520**

[19] Variance primarily due to capital projects delayed.

	Estimated	Other Authorizations	Total	Actual	Variance
Full-time Equivalents (FTEs)					
Community and Public Safety	1,593	—	1,593	1,589	4
Social and Economic Stability	584	—	584	538	46[8]
Lawful Government	217	—	217	276	(59)[9]
Assisting the Vulnerable and Victims	49	—	49	46	3
Independent Judiciary	396	—	396	372	24[8]
Aboriginal Negotiation and Litigation	45	—	45	57	(12)[10]
Statutory, Special Accounts and Agencies, Boards and Commissions	279	—	279	285	(6)
Corporate Services for Attorney and Solicitor General	359	—	359	282	77[11]
Treaty Negotiations Office	113	—	113	87	26[12]
Total	**3,635**	**—**	**3,635**	**3,532**	**103**
Ministry Capital Expenditures (CRF) ($000)					
Community and Public Safety	11,428	—	11,428	11,380	48
Social and Economic Stability	388	—	388	173	215[13]
Lawful Government	231	—	231	387	(156)[14]
Assisting the Vulnerable and Victims	205	—	205	0	205[15]
Independent Judiciary	591	—	591	231	360[16]
Statutory, Special Accounts and Agencies, Boards and Commissions	524	405	929	1,099	(170)[17]
Corporate Services for Attorney and Solicitor General	12,205	—	12,205	9,425	2,780[18]
Total	**25,572**	**405**	**25,977**	**22,695**	**3,282**

[8] Variance primarily due to hiring lags.

[9] Variance primarily due to higher level of cost-recovered services being provided.

[10] Variance primarily due to increased volume of aboriginal matters.

[11] Variance primarily due to Early Retirement Incentive Plan (ERIP) adjustments and hiring lags.

[12] Variance primarily due to the accelerated reorganization of the Office.

[13] Variance primarily due to savings in a systems project and on vehicle and furniture purchases.

[14] Variance primarily due to higher technology costs in order to implement full cost recovery.

[15] Variance primarily due to systems project not proceeding.

[16] Variance primarily due to delay in systems projects and furniture not purchased.

[17] Variance primarily due to the acquisition of personal computers and systems development.

[18] Variance primarily due to savings from projected costs for personal computer replacements.

	Estimated	Other Authorizations	Total	Actual	Variance
Consolidated Capital Plan Expenditures (CCP) ($000)					
Community and Public Safety	1,950	—	1,950	2	1,948[19]
Social and Economic Stability	1,300	—	1,300	0	1,300[19]
Total	**3,250**	—	**3,250**	**2**	**3,248**
Other Financing Transactions ($000)					
Corporate Services for Attorney and Solicitor General					
Interest on Trusts and Deposits					
Receipts	925	—	925	498	427
Disbursements	925	—	925	498	427
Net Cash Source (Requirements)	—	—	—	—	—
Treaty Negotiations Office					
Receipts	—	—	—	—	—
Disbursements	2,972	—	2,972	1,452	1,520
Net Cash Source (Requirements)	2,972	—	2,972	1,452	1,520
Total Receipts	**925**	**—**	**925**	**498**	**427**
Total Disbursements	**3,897**	**—**	**3,897**	**1,950**	**1,947**
Total Net Cash Source (Requirements)	**2,972**	**—**	**2,972**	**1,452**	**1,520**

[19] Variance primarily due to capital projects delayed.

2002/03 Resource Summary Mirroring the *Estimates* Vote Structure

	Estimated	Other Authorizations	Total	Actual	Variance
Operating Expenses ($000)					
Minister's Office	474	—	474	379	95
Corporate Services	49,872	—	49,872	48,890	982
Court Services	141,979	—	141,979	137,108	4,871[1]
Legal Services	23,198	—	23,198	25,502	(2,304)[2]
Criminal Justice	83,450	—	83,450	77,752	5,698[3]
Justice Services	99,360	—	99,360	103,068	(3,708)[4]
Agencies, Boards and Commissions	16,728	—	16,728	19,479	(2,751)[5]
Treaty Negotiations Office	51,193	—	51,193	29,034	22,159[6]
Statutory Services	30,000	—	30,000	29,868	132
Judiciary	50,360	—	50,360	50,217	143
Special Account	9,614	—	9,614	9,465	149
Total	**556,228**	—	**556,228**	**530,762**	**25,466**
Full-time Equivalents (FTEs)					
Minister's Office	6	—	6	4	2
Corporate Services	354	—	354	279	75[7]
Court Services	1,311	—	1,311	1,294	17
Legal Services	258	—	258	328	(70)[8]
Criminal Justice	754	—	754	735	19
Justice Services	164	—	164	148	16
Agencies, Boards and Commissions	69	—	69	71	(2)

[1] Variance primarily due to building occupancy cost recalculation and adjustments; Air India trial delay; and higher municipal bylaw hearing recoveries.

[2] Variance primarily due to increased volume of aboriginal matters.

[3] Variance primarily due to Air India trial delay; contract lawyer and witness expenditures lower than anticipated; and hiring delays greater than anticipated.

[4] Variance primarily due to exceptional Rowbotham cases.

[5] Variance primarily due to wind-down of Human Rights Commission and unbudgeted expenditures for new Office for Children and Youth.

[6] Variance primarily due to payments not required to the McLeod Lake Indian Band; treaty-related measures funding not required; and salary, and other operating cost savings due to the accelerated reorganization of the Office; partially offset by higher economic measures expenditures.

[7] Variance primarily due to Early Retirement Incentive Program (ERIP) adjustments and hiring lag.

[8] Variance primarily due to higher level of cost-recovered services being provided.

	Estimated	Other Authorizations	Total	Actual	Variance
Treaty Negotiations Office	113	—	113	87	26[9]
Judiciary	396	—	396	372	24
Special Account	210	—	210	214	(4)
Total	**3,635**	**—**	**3,635**	**3,532**	**103**
Ministry Capital Expenditures (CRF) ($000)					
Corporate Services	12,205	—	12,205	9,425	2,780[10]
Court Services	9,829	—	9,829	10,133	(304)[11]
Legal Services	231	—	231	387	(156)
Criminal Justice	1,599	—	1,599	1,247	352
Justice Services	593	—	593	173	420[12]
Agencies, Boards and Commissions	—	—	—	170	(170)[13]
Judiciary	591	—	591	231	360[14]
Special Account	524	405	929	929	0
Total	**25,572**	**405**	**25,977**	**22,695**	**3,282**
Consolidated Capital Plan Expenditures (CCP) ($000)					
Court Services	3,250	—	3,250	2	3,248[15]
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Other Financing Transactions ($000)					
Corporate Services for Attorney and Solicitor General					
Interest of Trusts and Deposits					
Receipts	925	—	925	498	427
Disbursements	925	—	925	498	427
Net Cash Source (Requirements)	—	—	—	—	—

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[12] Variance primarily due to savings on a systems project and on vehicle and furniture purchases.

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Interest of Trusts and Deposits					
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Disbursements	925	—	925	498	427
Net Cash Source (Requirements)	—	—	—	—	—

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[14] Variance due to delay in systems projects and furniture not purchased.

[15] Variance primarily due to capital projects delayed.

	Estimated	Other Authorizations	Total	Actual	Variance
Treaty Negotiations Office					
Treaty Settlement and Implementation Costs					
Receipts	—	—	—	—	—
Disbursements	2,972	—	2,972	1,452	1,520
Net Cash Source (Requirements)	2,972	—	2,972	1,452	1,520
Total Receipts	**925**	**—**	**925**	**498**	**427**
Total Disbursements	**3,897**	**—**	**3,897**	**1,950**	**1,947**
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	Estimated	Other Authorizations	Total	Actual	Variance
Treaty Negotiations Office					
Treaty Settlement and Implementation Costs					
Receipts	—	—	—	—	—
Disbursements	2,972	—	2,972	1,452	1,520
Net Cash Source (Requirements)	2,972	—	2,972	1,452	1,520
Total Receipts	**925**	**—**	**925**	**498**	**427**
Total Disbursements	**3,897**	**—**	**3,897**	**1,950**	**1,947**
Total Net Cash Source (Requirements)	**2,972**	**—**	**2,972**	**1,452**	**1,520**

Appendix: Additional Performance Measures and Results

This appendix includes two groups of additional performance measures. The first group contains all remaining performance measures from the 2002/2003 Service Plan that were not considered key measures and were not covered in the Performance Reporting section of this report. The second group of measures belongs to the business areas that provide services to government and its agencies, but not to the public.

Supplementary Measures and Results

The measures and results below complement the key measures already discussed in this report and are arranged by business area, along with the objectives and strategies that appeared in the 2002/2003 Service Plan.

Community and Public Safety

Key Objective: **Process criminal cases in a timely and efficient manner within three levels of court**

Strategies:

- Conduct timely charge assessments of allegations of criminal offences and timely criminal prosecutions
- Increase appropriate referrals to Alternate Measures programs
- Comply with Criminal Case Flow Management rules and Crown best business practices
- Provide efficient, effective court administration, prisoner escort and court security support
- Expand use of technology and innovative processes in the court system
- Reform processes for handling disputed bylaw and traffic offences
- Allocate legal aid resources proportional to the complexity and seriousness of the offence

Objective: **Protect the community from high-risk and violent offenders**

Strategy:

- Make Dangerous Offender, Long Term Offender and recognizance applications when appropriate

Supplementary Performance Measures:	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
# of allegations of criminal offences assessed by provincial Crown prosecutors	102,000 (Inaccurate due to duplicate data entries)	103,000 (Inaccurate due to duplicate data entries	Not available	The 2001/02 actual and the 2002/03 target were extracted from an old data system. That system, which had duplicate data entries, has been replaced by JUSTIN, requiring a new baseline for this measure.
# of criminal cases concluded in all levels of court	128,000	125,000 (Projection, not a true target)	125,545	Surpassed projected estimate.
# of bylaw and traffic disputes concluded in provincial court	113,000	113,000 (Projection, not a true target)	114,668	Surpassed projected estimate.
# of dangerous offender applications made	18	18 (Projection, not a true target)	6	Setting targets for the number of dangerous offender applications made in any given year is not realistic because the ministry cannot control the number of offenders entering the system.
% of accused persons eligible for Alternate Measures (AM) who are referred to AM	TBD	TBD	Measure eliminated	Setting targets for this measure is problematic. The number of alternative measures programs has been reduced. With fewer programs available, fewer offenders can be referred.
% of charge assessments completed per standard time period	TBD	TBD	Measure eliminated	Measure eliminated because the process involves accountabilities shared by Crown and police

Social and Economic Stability

Key Objective: Support operation of three levels of court in resolving civil and family disputes

Strategies:

- Provide efficient, effective registry operations, court administration and court security support
- Expand use of technology and innovative processes to facilitate case processing and disposition

Key Objective: Promote out-of-court dispute resolution options within the civil/family justice system

Strategies:

- Support public access to out-of-court services to resolve family justice issues
- Create mechanisms to encourage or require disputes to go to mediation and other dispute resolution processes
- Reduce demand for court services through dispute resolution services and mandatory referral to Family Justice Counsellors for families undergoing separation and divorce
- Reduce court hearing time by making recommendations on contested child access and custody cases
- Support public access to mediation with trained mediators to resolve civil justice disputes

Supplementary Performance Measures:	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
# of Family Justice Centres (FJCs)	29	29	29	Measure reflects ministry's capacity to maintain services
% of scheduled court events for which staff are available	100%	100%	100%	On target. Reflects ministry's capacity to provide baseline levels of support for court events

Supplementary Performance Measures:	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
# of allegations of criminal offences assessed by provincial Crown prosecutors	102,000 (Inaccurate due to duplicate data entries)	103,000 (Inaccurate due to duplicate data entries	Not available	The 2001/02 actual and the 2002/03 target were extracted from an old data system. That system, which had duplicate data entries, has been replaced by JUSTIN, requiring a new baseline for this measure.
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Assisting the Vulnerable and Victims

Key Objective: Strengthen enforcement of family maintenance orders to reduce demand for BC Benefits

Strategy:

- Focus program resources on assigned cases from the Ministry of Human Resources and on families who are dependent on maintenance to avert the need for BC Benefits

Key Objective: Expedite the resolution of child protection cases

Strategies:

- Provide funding for efficient delivery of legal services
- Provide early settlement opportunities for child protection cases
- Provide trained mediators for all voluntary child protection mediation requests
- Establish a Facilitated Planning Meeting process to reduce the proportion of child protection cases that go to contested hearings

Key Objective: Support access to justice for victims of violence and other vulnerable persons

Strategies:

- Continue funding focused legal services for protection orders
- Provide public information and education
- Monitor legal aid resources for cost-effectiveness
- Maximize the appropriate use of victim impact statements/information at sentencing

Supplementary Performance Measures:	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
# of family maintenance enforcement orders assigned from Ministry of Human Resources	13,000 assigned cases	15,000	16,500	Measure indicates the number of orders assigned to the ministry. Target was a projection. Actual result shows that 3,500 more orders were required in 2002/03 than in 2001/02.
Cost of collection of family maintenance per dollar recovered	$0.11	$0.12	$0.10	Target surpassed and credited to increased efficiencies and deferred projects.

Assisting the Vulnerable and Victims

Key Objective: **Strengthen enforcement of family maintenance orders to reduce demand for BC Benefits**

Strategy:

- Focus program resources on assigned cases from the Ministry of Human Resources and on families who are dependent on maintenance to avert the need for BC Benefits

Key Objective: **Expedite the resolution of child protection cases**

Strategies:

- Provide funding for efficient delivery of legal services
- Provide early settlement opportunities for child protection cases
- Provide trained mediators for all voluntary child protection mediation requests
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- Monitor legal aid resources for cost-effectiveness
- Maximize the appropriate use of victim impact statements/information at sentencing

Supplementary Performance Measures:	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
# of family maintenance enforcement orde assigned from Ministry of Huma Resources	13,000 assigned cases	15,000	16,500	Measure indicates the number of orders assigned to the ministry. Target was a projection. Actual result shows that 3,500 more orders were required in 2002/03 than in 2001/02.
Cost of collection family maintenanc per dollar recovere	$0.11	$0.12	$0.10	Target surpassed and credited to increased efficiencies and deferred projects.

Treaty Negotiations Office

Key Objective: Clarify Aboriginal rights and title to establish greater legal certainty

Strategies:

- Following the referendum, develop negotiation options and models that allow for choice on how to deal with the land question; reach agreement with Canada and First Nations
- Following the referendum, develop a policy framework for practical governance arrangements for First Nations

Key Objective: Support government's major economic priorities

Strategies:

- Engage First Nations in economic opportunities (oil and gas exploration and development, 2010 Olympic Bid, forestry, Central Coast initiatives)
- Facilitate public/private partnerships between First Nations, business, and local government
- Implement pro-active strategy to address First Nations disputes

Objective: Enhance public support for government's approach to treaty making

Strategies:

- Analyze and implement referendum results
- Deal fairly with legal interests impacted by negotiations
- Consult with local governments and stakeholders

Objective: Fulfill obligations arising from treaty settlements and other negotiated agreements

Strategies:

- Ensure Treaty Negotiations Office obligations are met within established time lines and support line agencies in meeting their obligations
- Implement Nisga'a Final Agreement Adjustment Project

Supplementary Performance Measures:	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
# of First Nations engaged in governance negotiations	No data	2 – 4	42 actual	Target and measure no longer relevant and have been deleted. Variance reflects the treaty referendum results in that B.C. has re-engaged governance negotiations at all tables.
# of consultation meetings held with local governments and stakeholders on key issues	No data	40	95 actual	Target surpassed. This measure monitors numbers of consultation meetings to ensure local interests are kept apprised of the status of negotiations in their communities and that their views are sought on issues that could impact them. Variance represents the high number of post-referendum consultation meetings held in the summer of 2002.
Negotiated agreements reflect referendum principles	Not applicable	100%	100% actual	Target achieved. All agreements reached in 2002/03 were consistent with the referendum principles.
Incidence of rights or title litigation	10	+ 10%	12 actual	Variance (greater than 10% over the estimate for 2002/03) represents a slight increase in rights and title litigation.
Incidence of direct action/blockades	38	+ 10%	17 actual	Variance (40% less than the estimate for 2002/03) represents a substantial decrease in incidence of direct action/ blockades.

Independent Judiciary

Independent Judiciary is also included in this section of the appendix since it does provide services to the public. Sitting hours are generally accepted as a measure of court activity. All of the targets are workload forecasts as opposed to true targets.

This business area supports the following ministry goals:

- Laws and justice services are administered fairly, equitably and efficiently to all British Columbians, while individual rights and judicial independence are protected
- Citizens and communities of British Columbia receive protection from crime and its social and economic consequences

Objective: **Provide support for continued operation of the independent judiciary**

Strategies:

- Support the Provincial Court's Criminal Case Flow Management process and rules, and any initiatives aimed at improving case flow management
- Support the Provincial Court's justice centre (JJP)
- Support the independent Judicial Compensation Committee process
- Support the independent Judicial Justice of the Peace Compensation Committee process
- Support the Supreme Court's reforms for expedited case processing and electronic justice services
- Support judicial initiatives respecting improved trial scheduling

Performance Measures	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
Provincial Court sitting hours[1]	120,900	115,700	120,462	Forecasted value; not a true target
Supreme Court sitting hours	60,000	60,000	58,240	Forecasted value; not a true target
Court of Appeal sitting hours	2,700	2,700	2,238	Forecasted value; not a true target

[1] The Ministry supports the Judiciary primarily through providing registry operations, court administration, prisoner escort and court security. The figures shown are projections that indicate the Ministry's expectation of support to the Judiciary in terms of staffed court hours provided, rather than performance targets. Actual court hours will depend upon the volumes and characteristics of incoming cases. Sitting hours include only judges' time spent in hearings or trials, not pre- and post-court activities.

Supplementary Performance Measures:	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
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Performance Measures and Results for Business Areas with Direct Services to Government

The following business areas provide services to government, but not directly to the public. Objectives, measures, strategies and measures from the 2002/2003 Service Plan are included, along with the ministry goals that are relevant to each area and the results for 2002/2003.

Lawful Government

This business area supports the following ministry goals:

- High-quality legal services are provided to government
- The efficiency of all ministry operations is improved through the use of innovative business practices and technology

Objective: **Provide high quality legal services to ministries and government**

Strategies:

- Use client satisfaction survey results to improve the legal services delivered
- Increase use of dispute resolution in litigation

Objective: **Advise the government on criminal law matters**

Objective: **Deliver legal services as cost-effectively as possible**

Strategies:

- Reduce litigation costs through technology and re-engineered business processes
- Adopt more cost-effective service delivery models
- Ensure that cost of legal services is competitive with other comparable public sector organizations
- Develop policies and procedures in respect of new ways to administer criminal justice in British Columbia
- Encourage efficiency by increasing client ministry accountability for legal services expenditures

Objective: **Reduce the province's exposure to civil liability and control liability costs to government**

Strategies:

- Improve existing risk management practices, and introduce additional risk management measures
- Improve the effectiveness of litigation management

Objective: **Respond to clients' changing needs for legal services**

Strategies:

- Improve the Memorandum of Understanding process with clients and develop appropriate levels of service
- Provide client training in legal services
- Use technology to provide current information and advice on emerging issues

Performance Measures:	2001/02 Actual	2002/03 Target	2002/03 Actual	Context
# of legal years of services provided (legal counsel, legal assistants — internal and external)	TBD	TBD	263 (Estimate)	Estimate based on 11 months of actual data for external counsel with a projection for the 12th month, and 12 months of actual data for internal counsel
Implementation of technology initiatives	Project under way	Project completed	Project completed	Target reached. Document Management System implemented to manage large-scale cases where document volumes are high. Practice Management System implemented to track and manage cases.
# of legal person years involved in providing advice to the government on criminal law matters	TBD	TBD	Measure abandoned	Ministry is unable to collect reliable and valid data at this time.
% of clients satisfied with services	91%	91%	N/A	Follow up survey was not completed in 02/03; priority was given to implementation of full cost recovery. A survey is planned for later in fiscal 2003/04, with reporting out in the last quarter.
Blended average hourly cost of internal and external services	$110 per hour	$110 per hour	$108 per hour (Estimate)	Estimated result; target likely surpassed. • Estimate based on 11 months of actual data for external counsel with a projection for the 12th month, and 12 months of actual data for internal counsel • Blended hourly rate is a quantified result of our organization costs. Measure should go down or remain steady • Data source is Legal Services timekeeping system and outside counsel expense tracking system. Both systems are considered reliable.
Cost of legal services as compared with other jurisdictions	Base rate = $110 per hour; External rates TBD	Cost remains less than or equal to external rates	N/A	Project not completed in fiscal 2002/03 due to other priorities. Work to develop external rates will begin in 2003/04.

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Aboriginal Negotiation and Litigation

This business area supports the following ministry goals:

- High-quality legal services are provided to government
- The efficiency of all ministry operations is improved through the use of innovative business practices and technology

Objective: **Provide high-quality legal services in Aboriginal law matters**

Strategies
- Use client satisfaction survey results to improve the legal services delivered
- Increase use of dispute resolution in litigation

Objective: **Deliver legal services as cost-effectively as possible**

Strategies
- Use technology and re-engineered business processes to reduce costs
- Adopt more cost effective service delivery models

Performance Measures:	2001/02 Actual	2002/02 Target	2001/02 Actual	Context
Legal years of service provided for Aboriginal law matters (lawyers, legal assistants, researchers — internal and external)	TBD	TBD	40 (Estimate)	Estimate based on 11 months of actual data for external counsel with a projection for the 12th month, and 12 months of actual data for internal counsel
# of cases using alternate dispute resolution	No data	TBD	Unknown	No baseline information available since aboriginal litigation was brought on within fiscal year 2002/03. Baseline and targets can be established after sufficient information is collected.
Implementation of technology initiatives	Project under way	Project completed	Project complete	Target achieved. Document Management System implemented to manage large-scale cases where document volumes are high. Practice Management System implemented to track and manage cases.
% of clients satisfied with services	TBD	Maintain	Unknown	Survey was not completed in 02/03; priority was given to implementation of full cost recovery. A survey (as part of the general survey for legal services to government) is planned for later in fiscal 2003/04, with reporting out in the last quarter.

Performance Measures:	2001/02 Actual	2002/02 Target	2001/02 Actual	Context
Blended average hourly cost of internal and external services	$113	$113	$103 (Estimate)	Estimated result; target likely surpassed. Reduction in measure indicates cost savings. Estimate based on 11 months of actual data for external counsel with a projection for the 12th month, and 12 months of actual data for internal counsel

Statutory, Special Accounts and Agencies, Boards and Commissions (ABCs)

This business area supports the following ministry goal:

- The efficiency of all ministry operations is improved through the use of innovative business practices and technology

Objective: **Provide administrative and policy support to Ministry agencies, boards and commissions**

Strategies:

- Manage appointment process for agencies, boards and commissions associated with the Ministry of Public Safety and Solicitor General and the Ministry of Attorney General
- Manage historical database for Ministry of Attorney General and Ministry of Public Safety and Solicitor General Ministerial Order and Order-in-Council appointments
- Improve the efficiency and effectiveness of ABCs in reaching their program objectives

Objective: **Provide administrative support for all Commissions of Inquiry, Intermittent Committees, and Special Projects**

Strategy:

- Provide contract management, logistical and administrative support for identified statutory bodies (e.g., commissions of inquiry, Electoral Boundaries Commission, Judicial Compensation Committee) and to major project initiatives such as the Administrative Justice Project, Pay Equity Task Force

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Performance Measures:	2001/02 Actual	2002/02 Target	2001/02 Actual	Context
% of appointment vacancies filled	100%	100%	100% Actual	Target achieved
% of appointment packages sent to Minister at least one month before expiry	80%	85%	90% Estimate	Estimated result; target likely surpassed • Unable to do an actual count as ABC appointment process is undergoing re-design and conversion of data into a new database (ACCESS). • The implementation of a new database will improve technical efficiency and performance measurement.
% of contracts in place within 30 days of direction to contract	85%	90%	100% Estimate	Target surpassed • Manual count; no automated system in place. All contracts were in place immediately after direction.
% of invoices processed within 60 days of receipt	85%	90%	100% Estimate	Target surpassed • Manual count; no automated system in place. All invoices were processed within 7 days of receiving them.

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Corporate Services for Ministry of Attorney General and Ministry of Public Safety and Solicitor General

This business area supports the following ministry goals:

- Laws and justice services are administered fairly, equitably and efficiently to all British Columbians, while individual rights and judicial independence are protected
- The efficiency of all ministry operations is improved through the use of innovative business practices and technology

Objective: **Support the operational branches of the ministries and their associated agencies, boards and commissions**

Strategies:

- Provide administrative, research, analytical and business planning support
- Review appeals, investigate complaints and inspect Corrections and Court Services facilities to ensure compliance with standards, policies, legislation and regulations
- Develop secure and effective operational and management information systems, and improve access to electronic information
- Ensure that staff are well trained and key positions and appointments are filled
- Provide financial management services and resource analysis
- Protect personal privacy while providing public access to records

Objective: **Provide corporate policy and secretariat services to Ministers and Deputies**

Strategies:

- Provide policy analysis and advice on inter-ministerial and inter-governmental developments in criminal, civil and family justice, human rights, administrative law, consumer protection and justice statistics initiatives
- Represent the province at federal-provincial-territorial tables addressing justice and human rights issues
- Respond to inquiries from MLAs and the public

Objective: **Prepare for and manage strategic shifts in programs and policies**

Strategies:

- Develop policy, legislative and implementation plans associated with the Core Review, the Administrative Justice Project, *New Era* commitments and broad government directions
- Monitor the performance of all programs and the ministries' progress towards long-term goals
- Ensure that staff are supported and transitions to new organizational structures proceed smoothly
- Restructure the human rights system and oversight of the Ministry of Children and Family Development
- Develop and enact private law and civil liability reforms

Performance Measures:	2001/02 Base Data	2002/03 Target	2002/03 Results	Context
FIGARO system implemented	Implementation begun	Implementation completed	System is operational	Target achieved
Interface between PRIME BC and JUSTIN implemented	Implementation begun	Implementation completed	Pilot phase completed	Target postponed to conduct a pre-implementation pilot at three municipal police departments
# of completed investigations of complaints regarding corrections and courts facilities	485	670 (This figure is a projection of the number of complaints that will be received and investigated, and is not a true target)	791	Projection surpassed. The 2002/03 result shows a sizable increase over the projection and a 63% increase over the 2001/02 base data. The effects of consolidation of correctional centres and changes in programs are reflected in the numbers of complaints received and investigated. The number of complaints and subsequent investigations are expected to rise again in the next fiscal year.
Plain language modernization of the *Residential Tenancy Act* implemented	Modernization/ implementation begun	Implementation of modernized Act completed	*New Residential Tenancy Act* passed November 2002	Target achieved. Project completed
Provision to encourage parental responsibility for children who commit property crimes	*Parental Responsibility Act* in force Jan 2002	NA	NA	Target achieved in previous fiscal.
Reduction in regulatory requirements for businesses, the public and government	TBD	TBD	TBD	Amalgamations and evolving responsibilities within the Ministry of Attorney General will require more regulatory review to determine appropriate targets.

Performance Measures:	2001/02 Base Data	2002/03 Target	2002/03 Results	Context
# of Memoranda of Understanding (MOUs) in place to enhance ministry accountability for agencies, boards and commissions	0	2 – 3	0	Generic draft in final form. Individual MOUs being drafted with agencies in 2003/04.
Elections Act reforms enacted	Election date fixed	Review and analysis completed	NA	Legislation to establish fixed provincial election dates was enacted August 2002. *Election Statutes Amendment Act* came into force October 2002.
Administrative Justice Project results implemented	Project analysis begun	Project analysis ends and implementation of results begun	(Phase 1) Review completed. (Phase II) Administrative Justice Office established to oversee implementation of changes.	Project on target
Development of private law reform program	Program established	Amendments introduced	Framework for reinvigorating the process was completed.	Legislative amendments planned for 2003/04.
Civil liability reform	Discussion paper released	Decisions made	Summary of responses to consultation paper has been compiled and released[1]	Legislation to be developed in 2004

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